

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-NINTH PARLIAMENT**

**FIRST SESSION**

**TUESDAY, 22 FEBRUARY 2022**

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## **The Governor**

The Honourable LINDA DESSAU, AC

## **The Lieutenant-Governor**

The Honourable KEN LAY, AO, APM

## **The ministry**

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Deputy Premier, Minister for Education and Minister for Mental Health	The Hon. JA Merlino, MP
Attorney-General and Minister for Emergency Services . . . . .	The Hon. J Symes, MLC
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Minister for Local Government, Minister for Suburban Development and Minister for Veterans . . . . .	The Hon. SL Leane, MLC
Minister for Water and Minister for Police. . . . .	The Hon. LM Neville, MP
Minister for Industry Support and Recovery, Minister for Trade, Minister for Business Precincts, Minister for Tourism, Sport and Major Events and Minister for Racing . . . . .	The Hon. MP Pakula, MP
Assistant Treasurer, Minister for Regulatory Reform, Minister for Government Services and Minister for Creative Industries . . . . .	The Hon. DJ Pearson, MP
Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business and Minister for Resources . . . . .	The Hon. JL Pulford, MLC
Minister for Multicultural Affairs, Minister for Community Sport and Minister for Youth . . . . .	The Hon. RL Spence, MP
Minister for Workplace Safety and Minister for Early Childhood . . . . .	The Hon. I Stitt, MLC
Minister for Agriculture and Minister for Regional Development . . . . .	The Hon. M Thomas, MP
Minister for Prevention of Family Violence, Minister for Women and Minister for Aboriginal Affairs . . . . .	The Hon. G Williams, MP
Minister for Planning and Minister for Housing . . . . .	The Hon. RW Wynne, MP
Cabinet Secretary . . . . .	Ms S Kilkenny, MP

## Legislative Council committees

### Economy and Infrastructure Standing Committee

Mr Barton, Mr Erdogan, Mr Finn, Mr Gepp, Mrs McArthur, Mr Quilty and Mr Tarlamis.

*Participating members:* Dr Bach, Ms Bath, Dr Cumming, Mr Davis, Mr Limbrick, Ms Lovell, Mr Meddick, Mr Ondarchie, Mr Rich-Phillips, Ms Shing, Ms Vaghela and Ms Watt.

### Environment and Planning Standing Committee

Dr Bach, Ms Bath, Dr Cumming, Mr Grimley, Mr Hayes, Mr Meddick, Mr Melhem, Dr Ratnam, Ms Taylor and Ms Terpstra.

*Participating members:* Ms Burnett-Wake, Ms Crozier, Mr Davis, Dr Kieu, Mrs McArthur, Mr Quilty and Mr Rich-Phillips.

### Legal and Social Issues Standing Committee

Ms Burnett-Wake, Ms Garrett, Dr Kieu, Ms Maxwell, Mr Ondarchie, Ms Patten, Dr Ratnam and Ms Vaghela.

*Participating members:* Dr Bach, Mr Barton, Ms Bath, Ms Crozier, Dr Cumming, Mr Erdogan, Mr Grimley, Mr Limbrick, Ms Lovell, Mr Quilty, Ms Shing, Mr Tarlamis and Ms Watt.

### Privileges Committee

Mr Atkinson, Mr Bourman, Mr Davis, Mr Grimley, Mr Leane, Mr Rich-Phillips, Ms Shing, Ms Symes and Ms Tierney.

### Procedure Committee

The President, the Deputy President, Ms Crozier, Mr Davis, Mr Grimley, Dr Kieu, Ms Patten, Ms Pulford and Ms Symes.

## Joint committees

### Dispute Resolution Committee

*Council:* Mr Bourman, Ms Crozier, Mr Davis, Ms Symes and Ms Tierney.

*Assembly:* Ms Allan, Ms Hennessy, Mr Merlino, Mr Pakula, Mr R Smith, Mr Walsh and Mr Wells.

### Electoral Matters Committee

*Council:* Mr Erdogan, Mrs McArthur, Mr Meddick, Mr Melhem, Ms Lovell, Mr Quilty and Mr Tarlamis.

*Assembly:* Ms Hall, Dr Read and Mr Rowswell.

### House Committee

*Council:* The President (*ex officio*), Mr Bourman, Mr Davis, Mr Leane, Ms Lovell and Ms Stitt.

*Assembly:* The Speaker (*ex officio*), Mr T Bull, Ms Crugnale, Ms Edwards, Mr Fregon, Ms Sandell and Ms Staley.

### Integrity and Oversight Committee

*Council:* Mr Grimley and Ms Shing.

*Assembly:* Mr Halse, Mr Rowswell, Mr Taylor, Ms Ward and Mr Wells.

### Pandemic Declaration Accountability and Oversight Committee

*Council:* Mr Bourman, Ms Crozier, Mr Erdogan and Ms Shing.

*Assembly:* Mr J Bull, Ms Kealy, Mr Sheed, Ms Ward and Mr Wells.

### Public Accounts and Estimates Committee

*Council:* Mr Limbrick, Mrs McArthur and Ms Taylor.

*Assembly:* Ms Blandthorn, Mr Hibbins, Mr Maas, Mr Newbury, Mr D O'Brien, Ms Richards and Mr Richardson.

### Scrutiny of Acts and Regulations Committee

*Council:* Ms Patten, Ms Terpstra and Ms Watt.

*Assembly:* Mr Burgess, Ms Connolly, Mr Morris and Ms Theophanous.

## Heads of parliamentary departments

*Assembly:* Clerk of the Legislative Assembly: Ms B Noonan

*Council:* Clerk of the Parliaments and Clerk of the Legislative Council: Mr A Young

*Parliamentary Services:* Secretary: Mr P Lochert

**MEMBERS OF THE LEGISLATIVE COUNCIL**  
**FIFTY-NINTH PARLIAMENT—FIRST SESSION**

**President**

The Hon. N ELASMAR (from 18 June 2020)

The Hon. SL LEANE (to 18 June 2020)

**Deputy President**

The Hon. WA LOVELL

**Acting Presidents**

Mr Bourman, Mr Gepp, Mr Melhem and Ms Patten

**Leader of the Government**

The Hon. J SYMES

**Deputy Leader of the Government**

The Hon. GA TIERNEY

**Leader of the Opposition**

The Hon. DM DAVIS

**Deputy Leader of the Opposition**

Ms G CROZIER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Maxwell, Ms Tania Maree	Northern Victoria	DHJP
Bach, Dr Matthew <sup>1</sup>	Eastern Metropolitan	LP	Meddick, Mr Andy	Western Victoria	AJP
Barton, Mr Rodney Brian	Eastern Metropolitan	TMP	Melhem, Mr Cesar	Western Metropolitan	ALP
Bath, Ms Melina Gaye	Eastern Victoria	Nats	Mikakos, Ms Jenny <sup>6</sup>	Northern Metropolitan	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	O'Donohue, Mr Edward John <sup>7</sup>	Eastern Victoria	LP
Burnett-Wake, Ms Cathrine <sup>2</sup>	Eastern Victoria	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Patten, Ms Fiona Heather	Northern Metropolitan	FPRP
Cumming, Dr Catherine Rebecca	Western Metropolitan	Ind	Pulford, Ms Jaala Lee	Western Victoria	ALP
Dalidakis, Mr Philip <sup>3</sup>	Southern Metropolitan	ALP	Quilty, Mr Timothy	Northern Victoria	LDP
Davis, Mr David McLean	Southern Metropolitan	LP	Ratnam, Dr Samantha Shantini	Northern Metropolitan	Greens
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Erdogan, Mr Enver <sup>4</sup>	Southern Metropolitan	ALP	Shing, Ms Harriet	Eastern Victoria	ALP
Finn, Mr Bernard Thomas Christopher	Western Metropolitan	LP	Somyurek, Mr Adem <sup>8</sup>	South Eastern Metropolitan	Ind
Garrett, Ms Jane Furneaux	Eastern Victoria	ALP	Stitt, Ms Ingrid	Western Metropolitan	ALP
Gepp, Mr Mark	Northern Victoria	ALP	Symes, Ms Jaclyn	Northern Victoria	ALP
Grimley, Mr Stuart James	Western Victoria	DHJP	Tarlamis, Mr Lee <sup>9</sup>	South Eastern Metropolitan	ALP
Hayes, Mr Clifford	Southern Metropolitan	SAP	Taylor, Ms Nina	Southern Metropolitan	ALP
Jennings, Mr Gavin Wayne <sup>5</sup>	South Eastern Metropolitan	ALP	Terpstra, Ms Sonja	Eastern Metropolitan	ALP
Kieu, Dr Tien Dung	South Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Vaghela, Ms Kaushaliya Virjibhai	Western Metropolitan	ALP
Limbrick, Mr David	South Eastern Metropolitan	LDP	Watt, Ms Sheena <sup>10</sup>	Northern Metropolitan	ALP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Wooldridge, Ms Mary Louise Newling <sup>11</sup>	Eastern Metropolitan	LP
McArthur, Mrs Beverley	Western Victoria	LP			

<sup>1</sup> Appointed 5 March 2020

<sup>2</sup> Appointed 2 December 2021

<sup>3</sup> Resigned 17 June 2019

<sup>4</sup> Appointed 15 August 2019

<sup>5</sup> Resigned 23 March 2020

<sup>6</sup> Resigned 26 September 2020

<sup>7</sup> Resigned 1 December 2021

<sup>8</sup> ALP until 15 June 2020

<sup>9</sup> Appointed 23 April 2020

<sup>10</sup> Appointed 13 October 2020

<sup>11</sup> Resigned 28 February 2020

**Party abbreviations**

AJP—Animal Justice Party; ALP—Labor Party; DHJP—Derryn Hinch's Justice Party;

FPRP—Fiona Patten's Reason Party; Greens—Australian Greens; Ind—Independent;

LDP—Liberal Democratic Party; LP—Liberal Party; Nats—The Nationals;

SAP—Sustainable Australia Party; SFFP—Shooters, Fishers and Farmers Party; TMP—Transport Matters Party



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**Tuesday, 22 February 2022**

**The PRESIDENT (Hon. N Elasmr) took the chair at 11.34 am and read the prayer.**

**Announcements****ACKNOWLEDGEMENT OF COUNTRY**

**The PRESIDENT (11:35):** On behalf of the Victorian state Parliament I acknowledge the Aboriginal peoples, the traditional custodians of this land which has served as a significant meeting place of the First People of Victoria. I acknowledge and pay respect to the elders of the Aboriginal nations in Victoria past, present and emerging and welcome any elders and members of the Aboriginal communities who may visit or participate in the events or proceedings of the Parliament.

**COVID-19**

**The PRESIDENT (11:35):** I remind members that the special arrangements for the operation of the chamber that we had in place last week will remain the same this week. It is still mandatory to wear masks in all indoor spaces, and a member should only remove their mask when they have the call to speak. Members should not meet in small huddles in the chamber and where possible should observe physical distancing. Regular cleaning of the chamber will occur during meal breaks, and the sitting will be suspended where additional cleaning breaks are required. The temporary orders agreed to on 7 September 2021 allow certain material to be submitted for incorporation in *Hansard*. Please email those contributions to the table office by the time the house adjourns. Only the number of matters permitted in the order of business for each item may be raised, be that in the house or via incorporation each sitting day and as allocated between the parties and independents. Divisions will continue to operate under the temporary orders agreed to by the house on 23 April 2020; therefore members will be asked to stand in their places during a division.

**Mr Davis:** On a point of order, President, on the matter that you have just raised, I want to make two very quick points. The first is to thank you for the clarification. Secondly, it is the opposition's view that in fact we should return to 9.30 am starts on Thursday and that masks should be off at this point. I just want that noted and we can—

*Members interjecting.*

**Dr Cumming:** On the point of order, President, I would echo the opposition's view that there is no science and that apparently this government would love to take masks off office workers but not off children.

**The PRESIDENT:** There is no point of order.

**Ms Pulford:** On a point of order, President, Mr Davis is saying that the opposition want masks off. I would indicate that the announcement that has been made and the move that is foreshadowed in no way requires anyone in Victoria who wishes to keep their mask on to take it off. It is an important point of clarification.

*Members interjecting.*

**The PRESIDENT:** I am not going to allow this to be debated. Thank you, Mr Davis. Thank you, Dr Cumming. We will move on.

**Bills****RACING AMENDMENT BILL 2021****JUSTICE LEGISLATION AMENDMENT (CRIMINAL PROCEDURE DISCLOSURE AND OTHER MATTERS) BILL 2021***Royal assent*

**The PRESIDENT** (11:38): I have a message from the Governor, dated 15 February:

The Governor informs the Legislative Council that she has, on this day, given the Royal Assent to the undermentioned Act of the present Session presented to her by the Clerk of the Parliaments:

**02/2022** Racing Amendment Act 2022

**01/2022** Justice Legislation Amendment (Criminal Procedure Disclosure and Other Matters) Act 2022

**Questions without notice and ministers statements****MEMBER CONDUCT**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (11:39): My question is to the Leader of the Government. Leader, I refer to the allegations of bullying of Ms Vaghela by the Premier and the Premier's office. What action will you take to ensure Ms Vaghela is not subject to bullying within the Labor Party or within the Parliament while the WorkSafe investigation is proceeding?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:40): Mr Davis, I do not accept the accuracy of the content of your question. To my knowledge there is no allegation against the Premier of bullying, and to suggest that and to try and say that does not make it true. I have reached out to Ms Vaghela to offer her assistance for this week's Parliament. I have sent my concern, saying, 'I hope you're okay'. I have not heard from Ms Vaghela. The invitation remains open for me to have a discussion with her about the Parliament. Of course she should not be subjected to any adverse behaviour or bullying, and I will make sure that I am having contact with her to make sure that she feels safe in this environment. It is a very supportive environment in the Parliament, is my experience, and if she wishes to return to the Parliament I am happy to have conversations with her about that. But to make allegations as you have is an inappropriate use, using someone who, I would hazard a guess, you have not spoken to directly either.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (11:41): I thank the minister for her response, and I ask her a very simple question: do you believe Ms Vaghela?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:41): Whilst Mr Davis is asking for an opinion, I am concerned that his supplementary question is based on a false accusation in his substantive question. I do not accept the premise of the first question, so in relation to whether or not I have a view of what Ms Vaghela has said, what you are saying she said is not what is on record as having come out of her mouth. It is an inappropriate question for you to put to me. In relation to the complaints that Ms Vaghela has made that we know about, that are on the public record, in relation to conduct of a particular person in the Premier's office, that was dealt with appropriately, so of course it was believed.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (11:42): I move:

That the minister's answer be taken into account on the next day of meeting.

**Motion agreed to.**

**COMMERCIAL PASSENGER VEHICLE INDUSTRY**

**Mr BARTON** (Eastern Metropolitan) (11:42): My question today is for the Attorney, representing the Premier. Today is a sad day. It marks five years since the bill that decimated the taxi and hire car industry was introduced. We were promised a level playing field, but the words were just wind and

the industry was blown away. ‘Greater competition’, they said; our industry went from 15 000 drivers to 120 000 drivers. Ironically passengers are now paying more than ever, as rideshare surge prices whenever it suits them, and it suits them a lot. Drivers are earning less than ever, fighting for crumbs, a living wage beyond their reach. Owners of perpetual taxi and hire car licences continue to pay debt of hundreds and thousands of dollars for something they no longer own. Families, like mine, lost businesses, their homes and their retirement and their future. So I ask: Premier, the legislation promised a level playing field in the industry; what happened?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:43): I thank Mr Barton for his question for the Premier. Your ongoing advocacy in relation to transport matters and in particular taxidivers is to be commended. I know this is a particular passion of yours, and I will seek further particulars to respond in detail to the question that you have raised.

**Mr BARTON** (Eastern Metropolitan) (11:44): Thank you, Attorney. The commercial passenger vehicle industry has been in turmoil for almost five years. The future of wheelchair-accessible taxis now is not known. Last year we passed legislation that means the Essential Services Commission must now consider a Fair Work Commission annual wage review and the commercial viability of operating a taxi licence. What was the Essential Services Commission’s main concern last Friday, when they released it? Opportunities for lowering taxi fares and making drivers the working poor. Our taxidivers are working for a rate of pay and a set of conditions that most Victorians would not accept. So, Premier, where does the Andrews government see the taxi industry in five years time?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:44): Mr Barton has asked for a response from the Premier, and I will pass that on accordingly.

**MINISTERS STATEMENTS: DJA DJA WURRUNG CORPORATE AND COMMUNITY CENTRE**

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:45): I had a great day on Friday in Bendigo to mark the return of land to the Dja Dja Wurrung Clans Aboriginal Corporation. With the freehold title handed over, work can begin on building the Dja Dja Wurrung corporate and community centre. I certainly want to congratulate Trent Nelson, chairperson, and Rodney Carter, chief executive officer, of the Dja Dja Wurrung Clans Aboriginal Corporation, other community leaders and everyone involved in realising the vision for a cultural centre on their country. The Dja Dja Wurrung people are proud traditional owners of the Bendigo region and have fought for years for land justice and healing whilst also generously sharing their culture with the community. The centre represents further progress on this journey, and it was an absolute honour—actually a very emotional honour—to be part of such a significant day.

The site of the former Golden Square High School was chosen by the Dja Dja Wurrung people, and the centre is being designed in collaboration with community. The centre will provide a permanent built-for-purpose home for the corporate and business operations of the organisation, and it will promote business development and joint venture opportunities. For the wider community in Bendigo, the centre will also serve as a space for arts and cultural events, and locals will be encouraged to make use of the oval and basketball court. Importantly the centre will provide invaluable opportunities for learning and interaction and to honour the survival, growth and culture of the Dja Dja Wurrung people. The development will also help boost employment and economic development for the Bendigo community through construction and for many years to come. It was a fantastic day and something I am very proud of, and I cannot wait to continue to support the work of the Dja Dja Wurrung and continue to go back and visit Bendigo, particularly when the centre is built.

**MEMBER CONDUCT**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (11:46): My question is for the Minister for Workplace Safety. Minister, I refer to the WorkSafe investigation into Premier Daniel Andrews’s office in relation to the bullying of Ms Vaghela, a member of this chamber, by a number of people within that office. Does Ms Vaghela deserve a safe workplace like all other Victorian employees?

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (11:47): I thank Mr Davis for his question. Of course I am aware of the media reports that a complaint has been made to WorkSafe by the opposition spokesperson, Mr Wakeling. I understand from those reports that WorkSafe is considering the matters in the complaint consistent with its normal procedure. As you are well aware and as I have said consistently in the house since I became the Minister for Workplace Safety, I do not direct WorkSafe’s compliance and enforcement activities, and I am not going to be drawn into commentary on matters that are before the safety regulator.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (11:48): That was extraordinary. The minister could not utter the words that Ms Vaghela deserves a safe workplace like all other Victorians. But I ask again a very simple question of the minister: do you believe Ms Vaghela?

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (11:48): I do note Mr Davis often and regularly verbals me in the chamber. He is also asking me for an opinion. But I will remain consistent; I will not be drawn into commentary about these matters. The opposition can invite me to do so as much as they like, but I have been consistent in the house since day one. These are matters before the independent safety regulator, and I will not be running a commentary.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (11:49): I move:

That the minister’s answer be taken into account on the next day of meeting.

**Motion agreed to.**

**SOCIAL AND AFFORDABLE HOUSING**

**Mr LIMBRICK** (South Eastern Metropolitan) (11:49): My question is for the Minister for Local Government. Last week the government announced another new tax on housing. At a time when housing affordability is such an issue and first home buyers are looking for opportunities in the outer suburbs or regional Victoria to get into the housing market, this new tax could push that dream even further out of reach. The announcement also stated that new housing dwellings would be exempt from council rates, with the \$54 million currently being spent on public housing rates reinvested in public housing maintenance and upgrade works. This suggests a cost transfer to councils, which will no longer have access to the \$54 million in revenue. Presumably they will have to either find savings somewhere or find an alternative source of revenue. My question for the minister is: what effect might this change have on local government finances?

**Mr LEANE** (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (11:50): Thanks, Mr Limbrick, for your question. As far as the affordability of housing goes, that is really a question to ask the Minister for Housing. As far as the rate exemption for social housing goes in terms of the local government sector, it will be up to each local government how they deal with that particular change in the legislation. They will have until the start of 2023, and it will be phased in, so they will have a lot of time to be able to work through that. Some of the figures that we see, if councils do decide that they may pass this on to the ratepayers, are in the vicinity of \$8 a year that may be passed on to the ratepayer. But I have had a number of conversations with local councils before that have really prioritised the importance of social housing and housing in particular, affordable housing, so I do not think there is any problem with all levels of government contributing to safe social housing for the people in our community that are most in need.

**Mr LIMBRICK** (South Eastern Metropolitan) (11:51): I thank the minister for his answer. Some representatives of councils have already expressed some frustration with this proposed change. The mayor of Ballarat is quoted today in the *Courier* highlighting that regional councils are more reliant on rates for revenue than inner-city councils and that the government proposal might push affordable housing further out of reach for low-income renters who want to enter the property market. Has the minister met with any local government stakeholders to hear their views about these proposed changes yet?

**Mr LEANE** (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (11:52): I thank Mr Limbrick for his question. I do not think this proposal was completely new to the local government sector, and I have had conversations with peak bodies and others about their concerns. Mr Limbrick, I am not ruling out their concerns, and I am more than happy to have another round of conversations with members of the local government sector in the coming weeks.

#### MINISTERS STATEMENTS: SMALL BUSINESS SUPPORT

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (11:52): The Andrews government is delivering a major injection to help businesses make a strong recovery from the effects of the omicron variant and the impacts that it has had on business confidence and staff availability over summer. A new and extended \$100 million voucher scheme will provide rebates to Victorians for entertainment, dining and travel, with a \$10 million round of Melbourne Money to be delivered in partnership with the City of Melbourne. The scheme will be extended across the state, with a new \$30 million program providing rebates on food and wine experiences in peri-urban and regional areas, which is a wonderful thing and, I am sure, being welcomed by businesses in those areas. A new entertainment voucher scheme will provide \$30 million in rebates for tickets to the theatre, live music, cinemas, museums, galleries, conferences, exhibitions and other events across Victoria, and there are so, so many of those that people can throw themselves into. A new \$30 million round of the Victorian travel voucher scheme will encourage even more people to holiday at home and spend on accommodation attractions and tours in Victoria.

Businesses will also receive targeted support with a \$60 million ventilation voucher program to help small businesses purchase equipment and upgrades to reduce the spread of COVID-19 in the workplace and improve consumer confidence. There will be rebates of up to \$5000 available, as well as \$500 vouchers—a couple of streams to this program so businesses can work out what is best for them. Some \$34.2 million of Jobs Victoria funding will be used to place workers in over 1500 jobs across hospitality, warehousing and logistics, tourism and food processing—again, the sectors that have been most profoundly impacted over the summer. A further \$5 million will extend the very popular and lovely small business digital adaptation program, providing rebates of up to \$1200 so businesses can access and learn to use a range of digital tools. The extension of the business recovery and resilience mentoring program with the Victorian Chamber of Commerce and Industry will mean more small businesses will have access to coaching and support.

**Dr Cumming:** On a point of order, President, the previous question from Mr Limbrick to Mr Leane I do not believe was answered. Can I give an example? Mr Limbrick asked if the \$54 million that the government actually suggested was the \$54 million that was going to be lost from local government. I know that \$2.6 million is being lost just by Maribyrnong; there are 79 councils. Could you please consider his answer for the next day of sitting?

**The PRESIDENT:** Dr Cumming, Mr Limbrick asked the question, and he did not ask for any explanation. I think he was satisfied with the answer, and I was satisfied. I will leave it at this stage.

**EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY**

**Ms CROZIER** (Southern Metropolitan) (11:55): My question is to the Minister for Emergency Services. Minister, can you confirm that on some nights in January of this year there were only three call takers in ESTA to service the entire state of over 6.6 million Victorians?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:56): Whilst I do not have the operational information at hand, nor is it appropriate for me to have the details of rostering arrangements, more than three people were rostered on in relation to shifts.

**Ms CROZIER** (Southern Metropolitan) (11:56): Thank you for that response, Minister. I am astounded that you are not across the detail of this very vital area, where there are just so many issues. So I also ask you: can you confirm that some callers had to wait for over 20 minutes until their call was answered by 000, and how many calls has that applied to? If you do not know the answer, may I ask that it be taken on notice.

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:56): Ms Crozier, it might have been better if that was your first question, because—

**Ms Crozier:** I can ask a question how I like.

**Ms SYMES:** It is only that I have got less time to answer it. It is fine; we can do this again next question if you would like. In relation to the call-taking capacity at ESTA, we know that they have been hit by unprecedented demand—we have many calls that should not be going to 000—and they hold themselves to an extremely high standard. The recommended benchmark is to answer 90 per cent of calls within 5 seconds. When you consider that in October 2020 the average calls to ambulance alone per day was 3000, in January it got up to 4000 and we are now hovering around the 3800 mark, they are still striving for that benchmark and many, many calls are answered in that time frame. But in relation to delays, it is not something that I have sought to hide and ESTA have not sought to hide. There have been unacceptable delays at certain points throughout recent times, and we continue to provide support to those hardworking staff.

**FAMILY VIOLENCE LAW REFORM**

**Ms MAXWELL** (Northern Victoria) (11:58): I hold here a plethora of information and in particular the findings of the inquest into the death of Joy Rowley.

**The PRESIDENT:** Who is your question to, Ms Maxwell?

**Ms MAXWELL:** Sorry. My question is to the Attorney-General, and it relates to the commitment of the government in 2019 to legislate non-fatal strangulation as a standalone offence. In 2011 Joy Rowley was murdered by strangulation and suffocation. After the family fought for an inquest into her death, the coroner said in her findings that a standalone offence for strangulation, suffocation or choking in Victoria may significantly help to recognise the serious risk for victims and remove the need to prove particular intent or harm. The offence is in place in other jurisdictions. I recently met with the family of Ms Rowley, who still suffer enormously from the loss of their mother. They are disappointed and frustrated that, despite a promise from the government in 2019 to legislate this offence, they are still waiting. Minister, can you update this house on the status of this legislation and if the government will commit to passing the legislation in this term of Parliament?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:59): I thank Ms Maxwell for her question, and indeed my condolences go to Joy Rowley's family. It is an important issue. It is really complex, though. It is something that I continue to pursue. We are having detailed consultations with stakeholders at the moment. I do intend to bring legislation this year. We do know that non-fatal strangulation is a serious and insidious crime.

It is often difficult to detect, but what we do know is that it is very often, particularly in family violence situations, a precursor to murder, which is why we have committed to act. But you need to get the laws right; you need to make sure that police can with confidence bring a charge for such an offence. So, Ms Maxwell, it is something I am committed to. It will be a standalone non-fatal strangulation offence. Consultations are closing in on the final stages, and I suspect I will have an update for this chamber in the not-too-distant future.

**The PRESIDENT:** Members, before I call Ms Maxwell on a supplementary, whether you are asking questions or responding to questions or making a ministers statement, please watch the clock.

**Ms MAXWELL** (Northern Victoria) (12:01): The last contact the family had from the department on your behalf was the promise of a verbal update on 11 January 2022 or a reply by letter addressing the issues discussed in the 2020 updates. The family requested that the response be in writing. They have had no response, so I am wondering why they are still waiting and when this letter will be sent.

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:01): Thank you, Ms Maxwell. I was not aware of that commitment, but I can give you a commitment to indeed give an update to the family. It is through stakeholder engagement that the complexity has arisen. In relation to how we want to land on this offence and what it will look like, it has involved a lot of intense consideration by both me and the department, so I would prefer to go back to the family when that is more settled, which is very close, as opposed to going to the family with all of the issues. The thing we want to avoid is unintended consequences in creating a new law. It is certainly something I am committed to, but I do not want to get it wrong. We have had ongoing conversations with police, prosecutors and victims, and I commit to following up that matter and making sure the family get a timely update.

#### MINISTERS STATEMENTS: AGRICULTURE TRAINING

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:02): Last week it was fantastic to be in the south-west to celebrate the completion of upgrades at Glenormiston. This is the government that reopened Glenormiston, and it is this government that committed \$2 million at the last election to upgrade facilities. The fantastic upgrades include a new hothouse, refurbished classrooms, workshop areas, refurbished on-site accommodation and a new fire protection system. This investment means that more courses will be offered at Glenormiston. From term 3 certificate II and III in horticulture will be offered there. The campus is once again vibrant, with 30 VET school students on site last week. It was also great to meet their agriculture trainer, Rebecca, who has just been awarded teacher of the year at South West TAFE. The future for Glenormiston is absolutely bright.

While in the region I also visited Colac and announced over \$246 000 for new agriculture equipment. This will purchase two quad bikes, a side-by-side utility vehicle, a new tractor and security systems. This investment means that South West TAFE will offer certificate II in horticulture at Colac for the first time, as well as delivering certificate III and IV in agriculture in full locally. This is about access to local skills for local jobs in agriculture and horticulture. It was great to make this announcement at Craiglands, just outside of Colac, and to meet Michael, Shae and Zalli, who are currently studying dairy agricultural courses. A big thankyou to Mark and Sam Billings for hosting us. They are great, passionate people who love the thought of skilling young people for a career in the dairy industry, and I know this investment, along with the works at Glenormiston, will make a big difference in the region.

#### EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

**Ms CROZIER** (Southern Metropolitan) (12:04): My question is again to the Minister for Emergency Services. Minister, the 2020–21 ESTA annual report had a total of 39 consultancies, including one from KPMG for a project entitled ‘Call taking and dispatch sustain upgrade project’, so I ask: have the findings and recommendations from that project been fully implemented?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:04): Ms Crozier, there is a lot of effort going into improving ESTA’s core performance, supporting the staff and indeed attracting and retaining existing staff. Part of that is also looking at systems and upgrades and indeed just basic call-taking scripts and the like in conjunction with the task force that has been set up with relevant agencies, including police, fire and ambulance, of course. In relation to all of the initiatives that have been implemented and continue to be implemented, we are committed to making sure that we support this hardworking agency to do the important work they do, and that is obviously to respond to Victorians’ concerns at some of the most challenging times. That effort is not something that has an end date, and we will continue to focus on improvements and supporting that agency.

**Ms CROZIER** (Southern Metropolitan) (12:05): Thank you, Minister, for that response, where you did say that a lot of effort has been going into looking at this issue. Minister, Ernst & Young also did a consultancy: ‘Funding model framework and call taking and dispatch sustain project review’. KPMG and Ernst & Young have undertaken separate consultancies around call taking and dispatch. You have just said that there is effort going in, but ESTA is still having significant issues with call taking and dispatch of emergency services that have resulted in Victorians tragically dying. Minister, these two consultancies were undertaken and you are saying that more effort is being put in, but why are Victorians tragically dying because they cannot get through to 000?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:06): Ms Crozier, I have responded to these types of questions and commentary from you and others. It is incredibly inappropriate for someone of your standing to make allegations and attribute blame to—

**Ms Crozier:** On a point of order, President, this is fact. There are 000 calls not being responded to and people are dying, so I would ask you to bring the minister back to the question about why these consultancies are being undertaken on this very important issue and there are still significant issues with ESTA.

**Mr Davis:** On a separate point of order, President, on the minister’s suggestion that certain questions ought not to be asked in this chamber, questions about life and death with these ambulance matters should be allowed to be asked, including ESTA, and they should not be ruled out by the minister.

**The PRESIDENT:** I ask the minister to continue.

**Ms SYMES:** President, it is absolutely inaccurate and inappropriate to attribute cause of death to injury following any emergency incident. That is a role for the coroner, not for political pointscoring. It is offensive to the families, and I think it adds unnecessary trauma. I cannot direct you, Mr Davis, I admit that, but I would urge you to actually think of victims’ families before you start to use them as your political play tools. I would continue to put on record my admiration and thanks to the hardworking staff at ESTA, who are on the front line every day and who are also affected by these emergencies and when there are deaths. They continue to show their commitment and dedication throughout unprecedented demand, and I support them in their efforts.

### DUCK HUNTING

**Mr BOURMAN** (Eastern Victoria) (12:08): My question is going to go to the minister representing the agriculture minister—this should be no surprise—about the duck season. The duck season starts on the third Saturday of March, which is 19 March, which is 25 days away, and we still have not got an announcement. In 2016 the government, as part of its *Sustainable Hunting Action Plan 2021–2024*, said that it would improve seasonal announcements. Is 25 days before the season what one would call an improvement?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:09): I thank the member for his question. It is a question by and large in substance very similar to the one that he asked last week, and I am sure that the Minister for Agriculture will respond consistent with the standing orders.

**Mr BOURMAN** (Eastern Victoria) (12:09): Well, let us hope we do not get a 15-day one. Minister, why has it taken so long, or why are we at the point where it is 25 days before the beginning of the season, when the data was given to the government at large in late December? Why has it taken so long to have not reached a decision by now?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:10): Again I thank the member for his supplementary and his ongoing issue in respect of the announcement of the duck-hunting season. This matter again will be referred to the Minister for Agriculture for a response.

#### MINISTERS STATEMENTS: BANGKA ISLAND MASSACRE ANNIVERSARY

**Mr LEANE** (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (12:10): Today I would like to update the house on the commemoration of the 80th anniversary of the Bangka Island massacre in Indonesia in 1942. On Sunday, 20 February, the shrine's last post service, sponsored by the Victorian government, remembered the service and sacrifice of 21 nurses and nearly 60 soldiers and crew members who were killed. Vivian Bullwinkel was the only nurse to survive the massacre on Wednesday, 16 February 1942. Up to 80 people died at Radji Beach, including 21 Australian Army nurses, other military personnel and civilian men and women. Many people have heard of Vivian Bullwinkel, and her legacy lives on through the fantastic Vivian Bullwinkel centre that is run by Legacy and its partners, including the RSL.

I would like to talk about another brave Australian who was also remembered on 16 February. Sister Elaine Balfour-Ogilvy on 13 September 1940 had trained as a nursing sister. Elaine enlisted in the Australian Imperial Force, becoming a 1st district army nurse. Elaine and others, after a number of soldiers were shot and killed, were determined to stay with their patients, which resulted in the end of their own lives. We owe every one of these nurses who sacrificed so much, as well as our defence personnel past, present and future, our eternal gratitude.

#### WRITTEN RESPONSES

**The PRESIDENT** (12:12): Regarding questions and answers today: Mr Barton raised an issue for the Premier, Ms Symes, two days, question and supplementary; and Mr Bourman to the agriculture minister, Ms Tierney, two days, question and supplementary.

**Ms Crozier**: On a point of order, President, I would ask that you review the minister's answers to my first question relating to the information around ESTA, the three call takers, and also how many 000 calls had to wait up to 20 minutes. That information is known, and I would ask that the minister provide that information to the house because it is incredibly important for the Victorian public to understand what is going on. And I am sure that the minister can get that information for the house.

**The PRESIDENT**: I was listening very carefully to the minister, but I am happy to review it.

**Dr Cumming**: On a point of order, President, I seek some clarification from you. In regard to masks, are we allowed to have a mask on that has symbols or political parties?

**The PRESIDENT**: You know the answer, Dr Cumming. During question time I did not want to interrupt the questions. But, Ms Patten, please change your mask.

**Constituency questions****NORTHERN METROPOLITAN REGION**

**Mr ONDARCHIE** (Northern Metropolitan) (12:14): (1624) My constituency question is to the Attorney-General. Attorney, there are many residents in Melbourne's north that do not have computer literacy or access to a computer when they apply for certificates from the Victorian Registry of Births, Deaths and Marriages, and they have been left behind. The Attorney-General might not be aware, but all the justice services in Melbourne's north are closed to the public, which makes it impossible for them to register for certificates. Those residents are being directed to members of Parliament's offices for help, and I am sure the Attorney would be aware that electorate officers are not really properly set up for this type of work and it should be handled by Births, Deaths and Marriages Victoria's staff. Currently the Broadmeadows regional office, Coolaroo Justice Service Centre, Melbourne Justice Service Centre, Reservoir Justice Service Centre and South Morang Justice Service Centre are all closed to the public. I do not know why they call them service centres if they are closed. My question to the Attorney is: when will the justice centres open up again to the public so they can service these residents who have been neglected and left behind by the Andrews Labor government?

**WESTERN VICTORIA REGION**

**Mr GRIMLEY** (Western Victoria) (12:15): (1625) My question is to the Minister for Housing in the other place. In my travels around Western Victoria—recently Ballarat, Glenelg shire, Moyne and Colac, just to name a few—I am continuously hearing stories about housing issues, including people moving out of their home town because of housing shortages, low rental vacancies and rising median house prices. When I met with the Minister for Regional Development last sitting week she was very receptive and said that the government are aware of these problems. She asked me to provide her with any solutions to the problems, and whilst I have a few, I know the individual communities will have better solutions than me alone. So I am recommending a regional Victorian housing summit. I attended some of the state government's rating review sessions a few years ago, which travelled around the state. It was a great opportunity for businesses, farmers and ratepayers alike to all have their say about council rates. This is a model that should be considered for the summit. Minister, will you consider rolling out an independently overseen regional housing summit that travels right across Western Victoria to fix ongoing housing issues?

**EASTERN METROPOLITAN REGION**

**Dr BACH** (Eastern Metropolitan) (12:16): (1626) My constituency matter today is for the Minister for the Suburban Rail Loop in the other place, and my question is: how many homes in my electorate are set to be demolished to make way for the Suburban Rail Loop? Over recent months a number of residents in my constituency have reached out to me to inform me that they have been informed that their house is to be demolished, and now I have been made aware that the owners of a beautiful interwar house in Elland Avenue in Box Hill have been told that their house is to be destroyed. The Labor government wants to tax young people and tax new homes coming into the market and destroy older homes. It would not need to do this of course if it managed major projects better than it does—we are facing \$24 billion of cost blowouts. These are serious issues for my constituents. They repeatedly tell me that they can get no clarity either from the relevant authority or from the government, which constantly seeks to shift the blame. Will the minister come clean and tell my constituents how many of their homes are set to be destroyed?

**NORTHERN VICTORIA REGION**

**Ms MAXWELL** (Northern Victoria) (12:17): (1627) My question is to the Minister for Consumer Affairs, Gaming and Liquor Regulation and relates to an ongoing issue for retirement village residents in Victoria as they await reforms via the new retirement villages act. In 2020 I raised concern in Parliament about the lack of clear compulsion for Victorian retirement villages to have emergency evacuation plans or even assembly points. My constituent is concerned that we are nearly at the end

of another fire season, emergency management plans were not included in the options paper for the review of the Retirement Villages Act 1986 and there is still no sign of new legislation. Section 58A of the New South Wales Retirement Villages Act 1999 requires operators to ensure an emergency plan is prepared and maintained as part of their role in providing a safe environment for residents. My question is: when can Victorian residents of retirement homes expect these same protections?

#### NORTHERN VICTORIA REGION

**Ms LOVELL** (Northern Victoria) (12:18): (1628) My question is for the Minister for Public Transport. The minister would be aware of the many problems associated with the opening of the Greater Shepparton Secondary College at the commencement of the 2022 school year. The violence experienced over the last couple of years at the three separate campuses of the new school continues at this new location. I have recently been contacted by a constituent advising me of an even more dangerous situation relating to students using the school bus service. The constituent resides in Katandra West and his son travels a 25-kilometre trip twice a day on a school bus carrying over 70 students, despite the bus being licensed to carry just 54 passengers. My constituent contends that such overcrowding not only is very dangerous if an accident occurred but also promotes the possible spread of COVID-19 through the inability to social distance. Will the minister order an increase in bus services for the Greater Shepparton school bus program to improve safety for Greater Shepparton students?

#### WESTERN METROPOLITAN REGION

**Dr CUMMING** (Western Metropolitan) (12:20): (1629) My question is for the Minister for Energy, Environment and Climate Change in the other place, and it is from a resident in East Keilor. Can the minister please provide the legislation that states that it is compulsory to have a smart meter installed on your property and that police can use force to allow a company to install such a meter? My constituent had refused in writing to have a smart meter on his property, and he also stated that he did not want to have an electricity connection. The company arrived on his property accompanied by the police, who pointed their guns. They installed the smart meter, then disconnected the electricity. He has apparently contacted numerous members of Parliament and is yet to obtain a response. Minister, could you please answer fulsomely this constituent's questions?

#### WESTERN METROPOLITAN REGION

**Mr FINN** (Western Metropolitan) (12:21): (1630) My constituency question is to the Minister for Energy, Environment and Climate Change. The land between Sunbury and Bulla was not so long ago a quintessential country setting: rolling paddocks with cows, sheep and horses. Clean, green and peaceful was the ambience of this area, slated as a green wedge. Turn the clock forward to February 2022 and that same land is now an environmental disaster. A towering mountain of God alone knows what, a periodic stench that sends locals into physical illness and the prospect of the dumping of asbestos at the Bulla tip have all occurred on the minister's watch. The new tract of land has been claimed to build a repository for toxic soil from the Premier's dodgy West Gate Tunnel Project. Recent dust storms at the proposed dump have made us realise that we will all be breathing in a few months the carcinogenic dust particles. Minister, will you now accede to local residents' requests and resign?

#### SOUTH EASTERN METROPOLITAN REGION

**Mr LIMBRICK** (South Eastern Metropolitan) (12:22): (1631) My constituency question is for the Minister for Roads and Road Safety. I have been contacted by a constituent regarding a tragic accident that recently occurred on Centre Road in Clarinda between Eulinga Road and Elder Street, where a teenager was trying to cross the road and was struck by a car and seriously injured. This occurred in front of Talbot Park, which backs onto Centre Road and currently offers no safe option for residents to cross the road, which has a speed limit of 60 kilometres an hour, despite there also being a primary school and shops across from the park. Will the minister commit to investigating options for a safe crossing on Centre Road?

**SOUTHERN METROPOLITAN REGION**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:22): (1632) My matter is for the attention of the Minister for Energy, Environment and Climate Change in the other place, and it relates to Wattle Park, an important park, traditionally a tramway park but also an important recreation area for many in my electorate and the electorate-to-be of Ashwood. There is a plan by the minister and her department to press forward with a proposal to tear out 450 trees, spending \$4.3 million on an extensive redevelopment. This has got to be done sensitively in my view so that we do not lose the essence of Wattle Park, which is meant to be an open piece of parkland, meant to have natural Australian trees. And I ask the minister: will she review the proposals to ensure that the developments are done sensitively and that the essence of Wattle Park is not destroyed by a heavy-handed approach by Parks Victoria?

**NORTHERN VICTORIA REGION**

**Mr QUILTY** (Northern Victoria) (12:23): (1633) My constituency question is for the Minister for Agriculture. I am going to echo the calls from my colleague Mr Bourman on the 2022 duck-hunting season. It is now under a month away from the traditional start date and we still have heard nothing. We do not even know if there will be a 2022 season. My office has been contacted by constituents from one end of Northern Victoria to the other. They want to know what the 2022 duck season will look like, how long the season will last and what the bag limits will be. My constituents are asking for a full season after drought-breaking rains filled streams and water storages, the best environmental conditions for many years. Other states have acknowledged the record breeding season and the surge in duck hunters. How can people plan their travel and their camps when again the government keeps this information secret till the last minute? Minister, when will you be announcing the details of the 2022 duck-hunting season? Northern Victorian hunters need to know.

**WESTERN VICTORIA REGION**

**Mrs McARTHUR** (Western Victoria) (12:24): (1634) My question is for the Treasurer. It comes from the fine candidate for South Barwon and former member, Andrew Katos, and it refers to the extra financial burden on new home owners resulting from the proposed 1.75 per cent social housing levy on subdivisions greater than three lots. Mr Katos has been contacted by many people in the electorate of South Barwon who are concerned that this Labor government's latest ill-conceived tax will place home ownership outside the reach of young people despite their strident efforts at saving. This Labor tax will add approximately \$12 000 to the cost of a new build in growth areas such as Armstrong Creek and Mount Duneed, so I ask the Treasurer to immediately scrap this government cash grab, which will disproportionately impact first home buyers, especially young Victorians looking to get onto the property ladder. I thank Mr Katos for contacting me.

**Mr Gepp**: On a point of order, President, I am just struggling as to how that could be, under the standing orders rule, a constituency question. I think it was a very broad statement on policy. It was not consistent with the previous rulings that you have provided and those of previous Presidents in relation to constituency questions. I know personally I have had so many ruled out of order—

**Mr Davis**: On the point of order, President, I understand the member's point, but at the same time I am aware of very specific costing that has been done by the Property Council of Australia that has laid out the costs at Armstrong Creek and the impact on the purchase of a property. I think many in the Geelong region, and Mr Katos is one of those, are very concerned about those costings and what that will mean specifically in that area.

**Ms Shing**: On the point of order, President, I am somewhat concerned and would seek your guidance in relation to the issue of asking questions on behalf of former members of Parliament. Indeed by way of the preamble that Mrs McArthur introduced there was a context to that that I am hoping you might give some guidance on in the way in which constituency questions can be asked, particularly over the coming months.

**The PRESIDENT:** Order! I do not want too many points of order. Thank you for raising the issue, Mr Gepp. Thank you, Mr Davis, and thank you, Ms Shing. What I will do is have a look at the constituency question again and decide on it. We all know the rules.

#### NORTHERN METROPOLITAN REGION

**Dr RATNAM** (Northern Metropolitan) (12:27): (1635) My question is for the Minister for Transport Infrastructure and relates to the Bell station redevelopment. Minister, the Bell Street group are extremely disappointed at the way they are being misinformed. The Greens have obtained via a freedom-of-information request documents detailing the traffic assessment of access to the new station car park. Despite the level crossing removal project's claim to the contrary, the FOI reveals that there was no formal investigation done into the western side car park access, including whether it is safer for the community. Minister, why was the community effectively lied to, and will the minister now ensure an independent traffic safety assessment of station car park access via the western side occurs immediately and is publicly published, including a direct comparison of the safety impacts on the locals to the current plans?

#### SOUTHERN METROPOLITAN REGION

**Ms CROZIER** (Southern Metropolitan) (12:28): (1636) My question is for the Minister for Roads and Road Safety in the other place, and it is regarding a dangerous traffic hazard plaguing constituents in the Murrumbidgee area. I have been contacted by constituents who are extremely distressed about the condition of an intersection between Neerim and Poath roads. They have seen firsthand accidents and near accidents. They have been very concerned about pedestrians being hit, especially when a supervisor was standing in the middle of the road with a stop sign directing the traffic. This safety issue has been there for quite some time, and my constituents are concerned that a fatality at the intersection may occur if something is not done to improve the safety aspect. The question I ask of the minister is: will he commit to looking into the conditions of the intersection between Neerim and Poath roads and rectify the situation through a red-light installation or some other mechanism to improve the safety of the area, as you are advised through the appropriate sources?

#### EASTERN VICTORIA REGION

**Ms BURNETT-WAKE** (Eastern Victoria) (12:29): (1637) My constituency question is for Minister for Crime Prevention. Last week I visited several businesses in Main Street, Pakenham, and spoke to their owners, including Vanille Bistro Cafe and All About Chocolates & Lollies. Each small business I visited raised the issue of the prevalence of crime. Every shop owner that I spoke to advised there was no CCTV in the main shopping precinct and felt that if there was it would reduce crime. The issues ranged from shoplifting to property damage. One shop had been rammed several times in the last six months, which has required the replacement of its windows. Crime statistics from September 2021 indicate that just 33.9 per cent of criminal incidents resulted in charges being laid in Cardinia shire. In 44.7 per cent of cases, which is almost half, the crime went unsolved. On behalf of the small business owners in Pakenham that I spoke with last week, will the Minister for Crime Prevention and the government commit to installing CCTV in the Main Street, Pakenham, shopping strip?

#### EASTERN VICTORIA REGION

**Ms BATH** (Eastern Victoria) (12:30): (1638) My question is to the Minister for Roads and Road Safety, and it relates to the Great Alpine Road. One of my constituents lives at the top, near Omeo, and another one travels up and down the road for work. They are both so very frustrated about the perilous state of our roads and in particular the Great Alpine Road. Potholes are fixed and then fail so, so frequently. They are also concerned about the poor communication on social media. They want to actually see time lines and understand that the roads will be fixed and not just see, as one said, 'fluffy messages'. They also want to comment on the concerns around Name Stone Point, which was fixed last year but has failed and slipped again. There are works being done there, but they want to know that it is being done properly, that people can pass through that area safely, that it will not fail again

and that the engineering is such that it is secure for the foreseeable future. The question I have on behalf of Mr Aronson and Mr Akeroyd is: will you fix those road surfaces properly, and will you provide a time line for Name Stone Point to the public?

**Mr Ondarchie:** On a point of order, President, in relation to standing order 8.08(4), which requires ministers to respond within 14 days to the Clerk, I have a number of outstanding matters: a question that was asked of the Minister for Roads and Road Safety on 17 December 2021, 81 days ago; of the Minister for Transport Infrastructure on 14 December, 84 days ago; and of the Minister for Health on 22 June 2021, 259 days ago. I asked about this very matter last sitting week, and I still do not have any responses. It seems to me the Andrews Labor government lack transparency, avoid accountability or simply cannot recall.

**The PRESIDENT:** On the point of order, Mr Ondarchie, you know there is nothing I can do within my power.

Now, going to the constituency question that was raised by Ms Maxwell, I have gone through the question. I know she is raising it on behalf of a former member but one who is still a constituent and I know that it is in her electorate, so the question is in order.

### Rulings by the Chair

#### ADJOURNMENT MATTERS

**The PRESIDENT (12:32):** I wish to clarify a ruling I gave on Tuesday, 8 February 2022, during the adjournment debate. Dr Ratnam raised an adjournment matter for the Premier and in her action asked the Premier to write to the Prime Minister regarding immigration detainees at the Park Hotel Melbourne. Mr Rich-Phillips raised a point of order that writing a letter was not an appropriate action for a member to seek. In response I noted rulings by past presidents that advocacy is an acceptable form of action in relation to the adjournment debate. I stand by that part of my ruling. However, having now had the opportunity to review the *Hansard* record of Dr Ratnam's adjournment matter and to look further into some of the past rulings, I am concerned that she did not draw a proper link between a federal matter—immigration—and the provision of state services or state administration. While advocacy may be an appropriate action to seek in further state member matters, a member's contribution to the adjournment debate must always show a direct link to state services or state administration. Standing order 4.12(1) says the matters raised must be within the administrative competence of the Victorian government. With that in mind, I rule Dr Ratnam's adjournment matter out of order, and I do not require a response from the Premier. I thank the house for the opportunity to clarify this matter.

### Petitions

#### Following petitions presented to the house:

##### ASSISTED REPRODUCTIVE TREATMENT SERVICES

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that the Andrews Government's decision to cancel IVF treatment for Victorian women was cruel, unreasonable and unnecessary.

Seeking IVF treatment is not a choice and stopping access to IVF treatment adversely impacts the mental health of women and their partners. Noting that for IVF and fertility treatment: any delay creates enormous physical and mental stress, it is a time sensitive process and suspending access is a breach of human rights.

The Premier, Victorian Minister for Health and Chief Health Officer should not be able to decide who can and cannot have a family in Victoria.

The petitioners therefore request that the Legislative Council call on the Government to guarantee that access to IVF and fertility treatments will not be interfered with in the future to ensure that the opportunity for women to have a child is not jeopardised.

**By Ms BATH (Eastern Victoria) (40 signatures).**

**Laid on table.**

### **KOALA HABITAT LOSS**

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that Central Highlands Water (CHW) must stop clearfelling koala habitat in Gordon.

After a devastating year for Ballarat koalas, the Gordon koalas now face further challenges to ensure their survival. CHW have applied to Moorabool Shire Council for planning permission to clearfell a 16-hectare blue gum plantation that is a known koala habitat.

Placed at the intersection of Cartons Road and the Western Freeway in Gordon, this small blue gum forest has existed for 20 years and has attracted a sizeable koala population. The habitat forms part of the important wildlife corridor connecting Wombat State Forest to Whipstick Forest Bendigo. The Cartons Road overpass has allowed the safe movement of koalas and other rare arboreal animals such as sugar gliders, phascogales and feather tail gliders cross the busy Western Freeway.

CHW's intention is to clearfell the plantation and enlarge the grassed "wastewater irrigation" area around existing sewerage ponds. Many locals were unaware of this plan until recently due to insufficient community consultation and publicity. Discussions between CHW and local residents resulted in an understanding that a narrow 30-meter strip of existing blue gums will be left along the Cartons Road and Western Freeway boundaries. However, as the boundary trees have already been damaged, a 30-meter strip would be a completely insufficient koala habitat and would drive koalas onto the Freeway in search of food.

The survival of Koalas in this region hangs in the balance. Offsetting strategies to replant will not benefit koalas in any way as they require habitats with mature trees. Gordon koalas desperately need the Cartons Road blue gum habitat to remain.

The petitioners therefore request that the Legislative Council call on the Government to prevent further decline of the region's koalas and halt the clearfelling of the blue gum plantation at the intersection of Cartons Road and the Western Freeway in Gordon, as it is a known koala habitat.

**By Mr MEDDICK (Western Victoria) (1688 signatures).**

**Laid on table.**

### **Committees**

#### **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE**

##### *Alert Digest No. 2*

**Ms WATT** (Northern Metropolitan) (12:36): Pursuant to section 35 of the Parliamentary Committees Act 2003, I lay on the table *Alert Digest* No. 2 of 2022 from the Scrutiny of Acts and Regulations Committee, including appendices. I move:

That the report be published.

**Motion agreed to.**

### **Papers**

#### **PAPERS**

**Tabled by Clerk:**

Caulfield Racecourse Reserve Trust—Minister's report of receipt of the 2020–21 report.

Planning and Environment Act 1987—Notices of Approval of the following amendments to planning schemes—

Ballarat Planning Scheme—Amendment C232.

Benalla Planning Scheme—Amendment C42.

Frankston Planning Scheme—Amendment C141.  
Greater Dandenong Planning Scheme—Amendment C235.  
Greater Geelong Planning Scheme—Amendment C399.  
Hepburn Planning Scheme—Amendment C80.  
Loddon Planning Scheme—Amendment C45.  
Maribyrnong Planning Scheme—Amendment C163.  
Monash Planning Scheme—Amendment C163 (Part 1).  
Moonee Valley Planning Scheme—Amendment C194.  
Nillumbik Planning Scheme—Amendment C137.  
Northern Grampians Planning Scheme—Amendment C60.  
Victoria Planning Provisions—Amendment VC200.  
Wodonga Planning Scheme—Amendment C135.  
Wyndham Planning Scheme—Amendment C258.  
Yarra Planning Scheme—Amendment C191.

Public Health and Wellbeing Act 2008—Documents under section 165AQ of the Act in relation to the making of pandemic orders implemented on 4 February 2022.

Statutory Rules under the following Acts of Parliament—

Births, Deaths and Marriages Registration Act 1996—No. 9/2022.  
County Court Act 1958—No. 10/2022.  
Drugs, Poisons and Controlled Substances Act 1981—No. 13/2022.  
Education and Training Reform Amendment Act 2006—No. 6/2022.  
Occupational Health and Safety Act 2004—No. 137/2021.  
Pollution of Waters by Oil and Noxious Substances Act 1986—No. 7/2022.  
Public Health and Wellbeing Act 2008—No. 14/2022.  
Relationships Act 2008—No. 11/2022.  
Road Safety Act 1986—Nos. 135/2021 and 136/2021.  
Severe Substance Dependence Treatment Act 2010—No. 8/2022.  
Subdivision Act 1988—No. 134/2021.  
Subordinate Legislation Act 1994—No. 12/2022.

Subordinate Legislation Act 1994—

Documents under section 15 in respect of Statutory Rule Nos. 3, 7, 8, 10 and 13.

Legislative Instruments and related documents under section 16B in respect of—

Drugs, Poisons and Controlled Substances Act 1981—Minister's Notice under section 35A of the Act of Specified Circumstances Exempting Requirement for a Schedule 8 Permit of 11 February 2022.

Education and Training Reform Act 2006—Ministerial Order No. 1358—Order amending Ministerial Order No. 1125—Procedures For Suspension and Expulsion of Students in Government Schools of 3 February 2022.

Victorian Inspectorate—Report on surveillance device records inspected during the period 1 January to 30 June 2021, under section 30Q(3) of the Surveillance Devices Act 1999.

### Business of the house

#### NOTICES

**Notices of motion given.**

**Notices of intention to make a statement given.**

**GENERAL BUSINESS**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:43): I move, by leave:

That precedence be given to the following general business on Wednesday, 23 February 2022:

- (1) order of the day 2, second reading of the Drugs, Poisons and Controlled Substances Amendment (Decriminalisation of Possession and Use of Drugs of Dependence) Bill 2022;
- (2) order of the day 5, second reading of the Road Safety Amendment (Hoon Events) Bill 2021;
- (3) the notice of motion given this day by Mr Davis on the production of documents relating to the government's social housing tax;
- (4) the notice of motion given this day by Mr Davis referring matters relating to the financial position of WorkSafe and the operations of the port of Melbourne lease to the Public Accounts and Estimates Committee;
- (5) the notice of motion given this day by Mr Limbrick on vaccine mandates; and
- (6) the notice of motion given this day by Mr Davis on mandatory mask rules.

**Motion agreed to.**

**Members statements****GIPPSLAND COMMUNITY SPORTS FACILITIES**

**Ms SHING** (Eastern Victoria) (12:44): One of the things that I see every time I am out and about in Gippsland is the significant difference that an investment in sporting infrastructure has made to the region, from Warragul Leisure Centre's upgrades, the new courts and the improved swimming pool, through to the Gippsland Regional Aquatic Centre in Traralgon, new basketball courts in Wonthaggi, the Cameron Sporting Complex for gymnastics, basketball and other sports in Maffra, and the way in which we have invested across the board in so many different sporting codes—the Cricket Centre of Excellence at the Ted Summerton Reserve in Moe, the Haunted Hills Bike Park, which is a partnership with federal government, and the Omeo pump track and bike track in East Gippsland, which again is another partnership between all three levels of government.

I cannot help but think that this is a region which is ideally placed to host just about every one of the 19 different sporting codes proposed by our exclusive negotiations for the Commonwealth Games to be held in Victoria in 2026. The focus being on regional Victoria means that we are so well placed to make the most of what we have, and I would urge anyone and everyone who is inclined to come to Gippsland to enjoy the sporting facilities that we have on offer and to see the phenomenal difference that this infrastructure investment has made to locals as well as providing us with the absolutely perfect setting to host international events and world-class competitions, the scale of which we have not seen since the early start of last century.

**SOCIAL AND AFFORDABLE HOUSING**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (12:46): I want to draw the chamber's attention today to the state government's massive new hit on housing affordability and the cost-of-living pressures that are faced by young families. The decision to impose an absolutely scandalous 1.75 per cent tax on social housing will force young families, struggling families, to pay for this important service. Now, the fact is this should not be landed on these families, and this state government is addicted to taxation. There have been 41 new taxes since December 2014, and this is another one that is going to hit very hard—hit young families really hard, and their ability to purchase a new home will recede further. It is \$20 000 in metropolitan Melbourne that is the size of the hit and probably \$12 000 in country Victoria. Think about a \$20 000 hit, a nasty new tax on top of the cost of homes for young families.

You know, tax is a nasty three-letter word in this context, where it is visited on young families, families that are trying to get their first home, families that are trying to buy a home on the edge of the city. And this government is determined through its mismanagement, its mistakes, its waste—the

mismanagement of major projects has forced it into a terrible financial position where it is coming after people's money, and it is coming after the money of young families, making their homes more expensive. It is a scandal.

### COVID-19

**Mr QUILTY** (Northern Victoria) (12:48): Over the last few weeks we have watched with interest the trucker protests in Canada and the daughter protests that sprang up around the world, including in Canberra. The protests were aimed at the vaccine mandates, at governments who think they have the right to force themselves into people's lives and dictate medical treatments and to punish those who will not comply. And in Canada we have seen that overreach playing out, with the introduction of emergency police powers, riot police, pepper spray, mounted police riding down protesters and terrorist laws against free citizens. But for the snow we could have been forgiven for thinking we were watching scenes from Melbourne last year.

Politicians who in the past have supported the right to have protests as an essential part of democracy have turned on the people with savagery when those politicians became the targets of the protests. Police in Canberra have also been heavy handed in breaking up peaceful protests and evicting and hounding those camping in the ACT. Canberra is the government's city, not the people's city, and the police boot is being used to ram that fact home to Australians. Some people ask why the people have time to protest—what are they doing there? It is because the governments have taken their jobs away, their livelihoods, their futures. While mandates are used to shut them out of their lives, they have nowhere to go, nothing better to do. Expect them back on the steps of this building before long. They are not going away while the government boot is pressing onto their necks. It is time to end the mandates, end this divided society and give all Victorians their rights back. Freedom matters.

### SCHOOL SHADE SAILS FUND

**Mr ERDOGAN** (Southern Metropolitan) (12:49): I rise to update the chamber about four local schools in my electorate which recently received funding under the Victorian government's School Shade Sails Fund. Students at Cheltenham Primary School, Belle Vue Primary School, Deepdene Primary School and Greythorn Primary School will soon be able to use a new outdoor shaded learning area, promoting a safe learning environment, preventing the spread of COVID-19 and protecting the school community, students, parents and teachers alike.

I am very pleased that the start of the 2022 school year has been a success, as I know many families were keen to see the return of onsite learning. These announcements are part of a more than \$190 million investment that our government has made to help ensure that a safe return to onsite learning is a reality. Programs like the school shade sails and more than 50 000 air purifiers that we have rolled out to schools across the state are helping to ensure that now that schools are open they will remain open in 2022. I want to commend the work that the Minister for Education, Minister Merlino, but also all the other ministers in the other relevant portfolios have done in providing a safe return to school for all students and communities.

### CHILD PROTECTION

**Dr BACH** (Eastern Metropolitan) (12:50): I was deeply disheartened on Friday when I read the government's response to the scathing report *Our Youth, Our Way* by the commissioner for children and young people from last year. What she highlighted was an appalling pipeline, if you like, of vulnerable children moving from child protection, almost inevitably, especially when it comes to young Indigenous children, into our youth justice system. Now, our child protection system and our youth justice system are both facing grave challenges, and it is abundantly clear from the government's response that it simply does not understand this. There are huge backlogs in our courts that have meant that now so many young people are being dumped into youth justice facilities. These are so-called 'crossover kids' according to the children's commissioner.

What we must do in order to support these children is deliver evidence-based mental health initiatives and deliver evidence-based educational initiatives. When we were last in government we established schools—which Labor in their many years in office before then had not deemed fit to do—in our youth justice facilities. Well, under this government they have gone to rack and ruin. We established free TAFE. I understand now that this government has offered its bipartisan support to that Liberal initiative, free TAFE for children in the child protection system, and yet under this government in every vulnerable category those taking up TAFE have gone down. And so it is so important that the new Minister for Child Protection and Family Services and the ongoing Minister for Youth Justice work together to seek to resolve these crises, which are of the making of the Andrews Labor government.

### WASTE AND RECYCLING MANAGEMENT

**Mr HAYES** (Southern Metropolitan) (12:52): Last week I received some interesting research from the Parliamentary Budget Office on strengthening end markets for recycled materials, looking at recycling policies in Victoria and other jurisdictions. I am concerned that, despite *Victoria's Infrastructure Strategy 2021–2051* and a national action plan which identified that the Victorian government should explicitly require public sector use of recycled materials by 2021, the PBO found no indication that any of these requirements had been achieved. Consistent with that, they found no information that any procurement targets had been established either.

The Victorian government announced a Recycled First policy in 2020, but this framework is voluntary and allows contractors and departments to dictate their own terms of reference. It does not set minimum targets or mandates for procurement procedures which call for recycled versus non-recycled quoting options. This light-touch regulation and set-and-forget approach by government are setting the system up to fail. Infrastructure Victoria has recommended that the government strengthen its policy to preference recycled materials, particularly in construction and transport infrastructure projects. The government must begin to use its purchasing power to create markets for recycled content. The environment will benefit from the adoption of sustainable procurement practices.

### MEMBER CONDUCT

**Mr FINN** (Western Metropolitan) (12:54): ‘The standard you walk past is the standard you accept’. So said Premier Daniel Andrews what seems like a long time ago. Victorians now know that the government, the Andrews government, has no standards at all. The contemptuous references by the Premier to one of his own members very publicly was eclipsed by the Treasurer the following day, when he was trotted out to the media to publicly question that member’s mental health, a disgraceful attack on a relatively new member, a woman of Indian heritage, by those who should uphold standards of decency in this state. Sadly they do not.

Charges of misogyny have been laid against the Premier, but this was disputed by a Labor member who said of Daniel Andrews, ‘He’s no misogynist. He hates everyone’. That may be so, but it does not excuse the despicable treatment of Ms Vaghela by some of the most senior people in this state. I have to wonder what has happened to EMILY’s List. Where have they got to during this particular scandal? There, after all this, is an organisation with zero credibility. It has been shredded, totally shredded. The Premier and the Treasurer should both apologise for such disgraceful behaviour. Victorians—every Victorian—deserve better.

### TED BARTON

**Mr BARTON** (Eastern Metropolitan) (12:55): I want to have a moment of indulgence. I just want to say yesterday would have been my father’s birthday, and he would have turned 100 years of age. We reflect that this is a bloke who left school at 12 years of age, who went and worked with his father, who was a barrow boy selling fruit and vegetables in the streets of London up the Old Kent Road, around the Elephant and Castle. I am saying that especially because of the Poms I know. They had nothing. He was a child of the Depression years, then he moved—when the war started in 1939 I think

he was only 17—straight into the army, where he served in North Africa, in Russia, on the merchant ships, doing that Atlantic crossing, which was extremely dangerous. Through that time he then was discharged from the army, and he had no home to go to. The family lived in Rotherhithe. We were completely bombed. There were no buildings left—all burnt, all gone—and he emigrated to Australia, the best thing he ever did. He was challenged there because of his lack of education. He never stopped trying to educate himself, and I just want to try to reflect on an old man who built a good life here.

### PENINSULA FILM FESTIVAL

**Ms BURNETT-WAKE** (Eastern Victoria) (12:57): Today I want to highlight and celebrate the resumption of the Peninsula Film Festival this year. This not-for-profit event supports the arts and in particular emerging filmmakers on the Mornington Peninsula. It is run entirely by volunteers and relies on sponsorship. The event has been unable to proceed in person for the last two years due to COVID-19, but through the hard work of volunteers and sponsors the event is set to return on 11 March. This event is close to my heart because a short film I produced took out first prize at this festival in 2019. It is an amazing community event, and it is so important that events like this can go ahead after we all turned to streaming services and digital media to get us through lockdowns. Holding these events encourages our emerging artists to continue making films and demonstrates that we value our homegrown talent.

Steve Bastoni gives so much of his time to assist these emerging filmmakers through creating these events. Steve is a well-known Melbourne-based actor known for his stints on *Underbelly*, *Police Rescue* and *Neighbours*. This year the event is going to be at the Dromana drive-in and held in a COVID-safe way. Thank you to Steve Bastoni and the Peninsula Film Festival committee for organising this annual event and for your resilience over the last two years to bring the festival back this year.

### CLIMATE CHANGE

**Dr RATNAM** (Northern Metropolitan) (12:58): Over the last two weeks the future of Australia's coal-fired power stations has become clearer. They are closing down—and closing down earlier than governments had planned for because the need to act on climate change and the rapid uptake of renewables are putting these old carbon-polluting behemoths out of business. Origin recently announced that Australia's biggest coal-fired power station, Eraring in New South Wales, is to close seven years earlier, by 2025. This is on the back of announcements about Liddell, set to close in 2023, and Bayswater in 2033. Here in Victoria both Yallourn and Loy Yang A will close four years earlier and three years earlier respectively than previously thought, if not sooner.

It is welcome news for our climate that energy companies are reading the writing on the wall and also necessary if we are to have any chance of limiting global warming enough to avoid catastrophic climate events and ecological devastation. But there is a catch with this news, and that is that this time line of transition out of fossil fuels is being led by big corporations instead of by governments, because our governments in this country have failed to plan the transition, including here in Victoria. The Australian Energy Market Operator predicts that most of Australia's 20 coal plants will close in the next 15 years, but here in Victoria we are living with a fantasy of burning coal until 2048 and gas forever. This week we saw a radical proposal by tech billionaires and corporations to buy coal plants to accelerate our climate action, but we have to ask ourselves: how did we get to this? Those companies and billionaires cannot plan the transition for workers and communities most impacted by climate change, but governments can and governments must.

### ELECTIVE SURGERY WAITING LISTS

**Ms CROZIER** (Southern Metropolitan) (13:00): Victoria's public waitlist for elective surgery is at a record number of 80 826 Victorians—and that was as at 31 December 2021. Since then Victoria has had a statewide code brown that has lasted weeks and the ongoing suspension of surgery for both the public and private systems. Through October to December there were 1000 Victorians being added

to the waitlist per day, taking that number up to nearly 81 000. These are thousands of Victorians who are waiting in pain and languishing on the waitlist, and it does not even account for the thousands that are now on the private elective surgery waitlist too. This elective surgery is vital surgery; it is essential surgery. It is surgery that Victorians need.

I am really concerned that the government is doing too little too late. Hospital administrators, surgeons and nurses were telling me weeks ago that there was capacity in the system, yet the government refused to budge and look at the capacity that could have been worked through if they had spoken to these operators. Last week in the Pandemic Declaration Accountability and Oversight Committee public hearings several CEOs from the public system told the committee that no private staff were redeployed into the public system. It is an absolute outrage that so many Victorians are waiting, languishing, on these waitlists in pain, their quality of life deteriorating. Quite frankly their lives have been put at risk because of the ongoing mismanagement and lack of preparation by the Andrews government.

### COMMERCIAL HOTEL, TERANG

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education)

#### **Incorporated pursuant to order of Council of 7 September 2021:**

I rise today to inform the house of a wonderful experience I had recently, spending time at Terang's Commercial Hotel—an emerging creative hub in the south-west.

The hotel itself is a heritage site—the tower was built in 1866, and the main hotel building dates back to the federation era.

It's a good old-fashioned country pub in so many ways, but now it's also a centrepiece for music, theatre and art, incorporating the nearby renovated courthouse too.

This is the work of publican Les Cameron and his partner Rosie Knight.

In three years they have done a fantastic job in not only reviving the pub, but importantly bringing to life their vision of a haven for creative enterprise.

Les had already made a great contribution to Western Victoria, as a teacher starting off in Birchip and later in Heywood, and as a footy player and very successful coach at Koroit—and Rosie of course is a Noorat local bringing her expertise in management to the project.

In three years—the last two of which have been very challenging times for everyone, and especially for those working in creative arts—they have offered accommodation for artists, writers, musicians and performers who have simply needed to demonstrate that they have a project in train and that they need time and space to complete their work.

This is a reciprocal thing—creative people are welcomed into a small community, and in turn that community, and its culture, are enhanced.

A town of fewer than 2500 residents, Terang has enthusiastically embraced the new Commercial Hotel and its diverse initiatives.

I congratulate and thank Les and Rosie for their work.

### **Business of the house**

#### **NOTICES OF MOTION AND ORDERS OF THE DAY**

**Ms TAYLOR** (Southern Metropolitan) (13:01): I move:

That the consideration of notices of motion, government business, 683 and 691, and orders of the day, government business, 1 to 8, be postponed until later this day.

**Motion agreed to.**

## Bills

**MAJOR EVENTS LEGISLATION AMENDMENT (UNAUTHORISED TICKET PACKAGES AND OTHER MATTERS) BILL 2021***Second reading***Debate resumed on motion of Ms PULFORD:**

That the bill be now read a second time.

**Mr ONDARCHIE** (Northern Metropolitan) (13:02): I rise to speak on the Major Events Legislation Amendment (Unauthorised Ticket Packages and Other Matters) Bill 2021, a bill that was introduced into the lower house in November 2021. Here we are almost at March 2022—it took quite a while to walk the hallway, the 15 metres from there to here. In saying that, the intent of this bill is to amend the Major Events Act 2009 to enable further measures for regulating the secondary ticket market for major cultural and sporting events. Now, the government are planning to do this by preventing the unauthorised advertising or sale of ticket packages for sporting ticketed events and ticketed events for which a major events declaration has been made, requiring event organisers to keep a public register of authorised ticket package sellers and establishing mandatory requirements for any ticket resale advertisement for sporting ticketed events and ticketed events for which a major events declaration has been made. When I talk about major events I am talking about events not far away from us, like the Australian Formula One Grand Prix, which I am really looking forward to. I am really looking forward to the AFL Grand Final later this this year; I am looking forward to seeing Geelong play in that. And of course there are things like the Spring Racing Carnival, which, as members know, is one of my favourites.

The bill intends to close the loophole to stop the ticket scalping of bundled tickets. This will therefore support the important revenue stream for major events organisers which have an arrangement with authorised sellers to bundle tickets together into packages that add on things like travel and accommodation and hospitality. However, the selling of unauthorised ticket packages has been an increasing area of concern for consumers and event organisers. I will use that by way of example because Tennis Australia actually pointed this out: there have been some unauthorised sellers advertising misleading hospitality packages at substantially inflated prices where fans get a ticket to the event and as part of their hospitality they get a voucher for a hamburger. Rightly so, they are pretty annoyed that that was their hospitality. This was a way that unauthorised ticket sellers got around the scalping laws.

The proposal in this bill before us today is to amend the act to outlaw and prevent the sale of unauthorised ticket packages for declared major events but allow for ticket packages authorised by venue organisers to be sold through those accredited resellers. Each event organiser of a declared event will be required to publish a register on their event website, which will list the authorised sellers for each event, and authorised sellers will be able to state that they are authorised to do so when they are advertising. It will be an offence, should this bill pass, to falsely claim to be an authorised seller of ticket packages to a declared major event. This bill is designed to close that loophole. It will also provide opportunities to give consumers improved information about the real value of the ticket by requiring the resellers to provide the asking price, the face value price and the seating allocation of a ticket in any advertisement about reselling these tickets. Currently this does not apply to authorised sellers of bundled tickets and this bill is purely aimed at the unauthorised sellers, or as we call them colloquially, the scalpers.

There are a number of elements to this bill which, for the sake of the house, I will not go through line by line, but I want to say that there are some things that do concern me with this bill, particularly the time it has taken to come to us. The other states have had this in place for a long, long time and so once again the Andrews Labor government are playing catch-up. The original legislation that came through this place in 2017 should have dealt with this. They should have picked up the loopholes back

then, and I know this because in the committee stage of the bill in 2017 in this chamber, representing the then shadow minister, the Honourable Heidi Victoria, I pointed out this exact loophole. In the committee stage I made the point to the minister at the table that this was a loophole that they had to deal with, and the government of the day said, 'No. We've got it covered. It's all okay'. And here we are, five years later, and it has finally arrived in this place after Heidi Victoria pointed out five years ago that this was a loophole. The government plays catch-up on a number of aspects.

This law applies to declared major events, and it is at the discretion of the minister. I have to say that I am really nervous about leaving things to the discretion of any ministers in this government. They chop, they change, they make decisions on the run and then they throw their hands in the air and go, 'Oh, sorry, we messed it up so we have to bring back another bit of legislation to fix up our stuff-up'.

**Mr Finn** interjected.

**Mr ONDARCHIE:** As Mr Finn rightly interjects, they always say it is somebody else's fault or they cannot recall who made the original decision in the first place. There may be some additional compliance costs for the organisers to publicly advertise and maintain a register of authorised sellers, and hopefully these costs will not be passed on to the consumers.

The AFL, Tennis Australia, Live Nation and others have been contacted and are generally accepting of the proposed changes in this bill today. They are pretty straightforward changes. They are there to protect the event organisers and, more importantly, protect consumers from scalpers. But there may be some concern for an individual who has purchased a corporate package and then for some reason cannot attend the event and would like to be able to sell it on to a mate. Under this bill, they will not be able to do that. If I said, 'I've booked a ticket to the Australian Formula One Grand Prix'—I cannot imagine any reason why I would not go, but should there be a reason I could not go, I cannot then onsell my ticket to a mate and go, 'Listen, I've got this ticket. It includes some hospitality and maybe some car parking and a range of other things, and of course you'll get to watch Lewis Hamilton run around in his Mercedes, but I can't go, so would you buy this off me?'. According to this, they cannot do it, so that is something that would be frustrating.

**Mr Finn** interjected.

**Mr ONDARCHIE:** Picking up your interjection, Mr Finn, I then cannot go back to the organiser and go, 'Can you give me a refund because I can't go?', because that is not going to happen. So that is something that the government should have also thought about. But it is the way in this chamber—the opposition points out loopholes in legislation. The government may choose to amend this today should they acknowledge this other loophole that we have pointed out, or we might have to wait until 2027, when they finally wake up and bring it back to this place for another amendment. When we talk about major events, one way to get around the loophole we have identified today is by change of government in November this year. A Matthew Guy government will fix up this loophole pretty darn quickly.

But when it comes to talking about major events, the event industry has been hit pretty hard through this whole COVID pandemic. There has been little recognition of how hard it has been for the major events sector. The major events sector is now pretty well crippled under mountains of debt that have been accrued during the crisis. A number of the major banks have not sought to underwrite some of the major events and have left event organisers hanging. A lot of the people who had skills around events and lots of experience in this industry, especially in the technical areas, have moved on to other things. So we have a skills shortage also in the major events industry. I know through the personal involvement of people I know in the major events industry that they have gone to do other things because they have been left hanging by the Andrews Labor government. Because there is a significant lack of skills, a lot of businesses can only now run at a fraction of their capacity, so expecting them to get back on their feet is challenging, and they should be getting more support from the government. Maybe one of the ways we could do this is by introducing more events into Victoria.

I know when the government had their back to the wall last week on a whole range of things, late at night—maybe they were down in Portsea or somewhere else—and before they fell over they decided ‘What we’ll do is announce that we’re going to do a bid for the Commonwealth Games in a number—or a number—of years’. I am not sure the event industry can wait that long for this government to get its act together. An event-led recovery for Victoria should be a no-brainer. There should be opportunities for people to rejuvenate their businesses and provide some fun, some entertainment, for Victorians. The state opposition will not be opposing this bill today, but we encourage the government to get on with the business of fixing this stuff-up, to listen to the anomalies or the loopholes that the opposition identify in pieces of legislation and to support the major events industry, because it employs lots of people and gives Victorians lots of opportunity.

**Ms TERPSTRA** (Eastern Metropolitan) (13:12): It gives me great pleasure to rise and speak to this bill, the Major Events Legislation Amendment (Unauthorised Ticket Packages and Other Matters) Bill 2021. The background to this bill is that it will amend the Major Events Act 2009 to prohibit a person who is not authorised in writing by an event organiser from selling tickets within a package that includes other goods or services. The amendments will only apply to declared events. Also the amendments will require authorised sellers of ticket packages to state the authorised ticket package seller’s full name or business name and that they are authorised sellers in any advertisements and to state their ACN or ABN. The bill will create an offence for falsely claiming to be an authorised seller of ticket packages and will require event organisers to establish and maintain a register on their public event website of the authorised sellers of ticket packages for the duration of the event and provide a copy to the minister at the conclusion of the event. It will also establish mandatory requirements for any ticket package resale advertisement to display the asking price or intended sale price of the ticket, the face value price of the ticket and seat location details of the ticket.

‘Why is this important?’, I hear everyone ask. I am sure like many of us in this chamber, many Victorians love to go to major events. I know that I and my husband were very interested in attending Midnight Oil, and we are fortunate to have booked tickets. We also went last year when we were able to. What I know everyone will know and understand and relate to is that once these tickets are announced on the website, people wait to actually jump online and purchase them, and they are gone within a nanosecond. We all sit there on the computer clicking the refresh button waiting for them to come up, and they go very quickly. What then happens afterwards of course is that ticket resellers or others then repackage these tickets and sell them with other things.

There has been a lot of consternation over the years about this because sometimes—I mean, I have seen it myself—there are tickets on eBay or Gumtree or whatever, and the prices are exorbitant. They might also say that the tickets are for a particular seated area, and then when you go to the major event or whatever you find that they are actually not. So people can be very disappointed, and often it is not the fault of the original promoter but there are other ticket sellers and the like that can take advantage of that. So it can lead to disappointment and people feeling like they have been ripped off. And some of the prices, as I said before, are astronomical. I have seen some tickets that might be a couple of hundred dollars then advertised for \$1000 and the like. So it can be very disappointing. I know Victorians love to go to their major events, especially live music. I am very partial to live music; I am sure many of us are. Isn’t that right, Minister? Yes. There are some great acts that we look forward to seeing coming up and coming back to Australian shores over the next year and beyond that.

But I might just, for example, talk about the Australian Open, which is a fantastic Victorian event. We are very fortunate to have a grand slam event here. As we all know, there are many, many international competitors who come down to Australia to compete—and what a fantastic event it was this year. The Australian Open is a key pillar of Victoria’s major events program. According to the Nielsen Sports report which was undertaken last year, it contributed an estimated \$387 million to the state’s visitor economy. You can see what a huge benefit that has to our economy, and this is in addition to record-breaking Australian Open attendance. It attracts the biggest global broadcast audience in the history of the tournament. So again, the tournament is amazing; it is bigger than any one person. We all love

to see Rafa, and I might say Ash Barty's performance at this year's Australian Open was an absolute stand-out. It is fantastic to see such a fantastic Australian doing us all proud on the world stage, and to see Evonne Goolagong present Ash with the trophy was absolutely a stand-out for that tournament.

It is incredible and, as I said earlier, record breaking: 812 174 fans went to the Open in 2020, of which 41 per cent were from intrastate and interstate and 13 per cent were from overseas. That was for 2020. And of course we look forward in the future to this tournament being well supported and patronised by international visitors. Importantly, 574 970 overnight stays were booked in Victoria as a result of the Australian Open in 2020, which provided a much-needed boost to our tourism and hospitality industries. The Nielsen Sports report also found that the yearly benefit of the Australian Open has increased by 142 per cent since the 2010 tournament, which generated an estimated \$160 million in benefits to the state. The Victorian government has invested \$1 billion over the past 10 years in upgrading and expanding Melbourne Park, and that investment has ensured that we will host the Australian Open at least until 2044. So, President, as you can see, the investment and the commitment that the Victorian government has to major sporting events are proving and providing a huge boost to our economy.

Of course we could not talk about major sporting events without talking about the Boxing Day test—again, a major sporting event that attracts so many visitors to our state but also over broadcasts. The Boxing Day test is broadcast to over 100 countries, and the test does attract visitors from interstate and overseas to Melbourne. Again, it is an incredible event, always well patronised locally, but we look forward to that going from strength to strength once that is possible, as we learn to live with the virus, and into the future. I am sure that will be, again, a very well patronised event.

Going back to the main point of this bill, these amendments, as I said, will amend the principal act. They are designed to strengthen the act by outlawing the backroom bundling of tickets with other items. It will make it an offence to advertise or sell a ticket package to a declared event without the written authorisation of the event organiser. So again, it is trying to squash out and squash down those backroom kinds of operators who can onsell and resell at inflated prices. The new measures will also guard against individuals and companies buying tickets and then obscuring inflated resale prices for seats in packages with hospitality experiences or other merchandise as well. The new bundling laws will require event organisers, as I said, to publish a register and the like. Companies will be required to state that they are authorised ticket sellers, and it will be an offence to falsely claim to be an authorised seller of ticket packages if you are not.

These are important amendments to the bill. Our 2018 report assessed the economic impact of major events, including key attractions such as the Australian Open, as I have just mentioned. For the Formula One Australian Grand Prix, which I have not mentioned, I know many Victorians also like to partake in watching the grand prix as well. There is the AFL Grand Final and the Spring Racing Carnival and one-off events such as at the Heide Museum of Modern Art and the National Gallery of Victoria, and of course the NRL State of Origin at the MCG—so all of those events. The value of major events to the Victorian economy has soared to \$2.53 billion a year. It is an increase of \$700 million since the Andrews Labor government was first elected in 2014. Major events attracted almost 6.9 million international and interstate visitors to Victoria, up 24 per cent in two years, and direct jobs that were supported by major events also grew by 10 per cent, with a further 3350 people employed in the industry.

As you can see, these events are critical to the success of the Victorian economy. They bring in lots of money to our economy, and the benefits of course are obvious but there are also downstream benefits—you know, people coming in. They will go to an event but then they will stay in accommodation, hospitality. They will visit our restaurants. They will spend more money in our economy, whether it is buying merchandise or participating in other hospitality events, and as I said, the downstream benefits are also critically important. So it has kick-along effects on every other sector that supports these events.

I might just also talk about some of the major sporting events that have been covered by sports ticketing and event declaration or major ticketing declaration since June 2018 as well as events that are covered in the future. So the sorts of events that will be covered by these changes are the AFL Grand Final and Victorian AFL finals series matches but, importantly, also some theatre, music and arts events as well. Many people, I am sure, in this chamber and I am sure if you are playing along at home, would also agree with me that some of these events are amazing, and we are so fortunate to have them here in Australia.

I know the minister will like one of these: *Bluey's Big Play*. It is a stellar event, an amazing event, and we are so fortunate to have that here. There is *Harry Potter and the Cursed Child*—we had it in 2018 and we had it in 2021—but also the Meredith Music Festival, the Golden Plains festival, *Roald Dahl's Charlie and the Chocolate Factory*, *Chicago*, the Melbourne International Arts Festival, the Melbourne International Comedy Festival, *Shrek: The Musical*—like, how awesome is *Shrek: The Musical*? That is amazing. As I said, *Bluey's Big Play*. Every Victorian kid loves Bluey. How popular is Bluey, Minister?

**Mr Leane:** I saw it.

**Ms TERPSTRA:** There you go; the Minister saw it. It is fantastic, *Bluey's Big Play*. You cannot get any better. In 2021 we had the Rising festival, *Seasons in Blak Box*, the Patricia Piccinini exhibition—

**Mr Ondarchie:** On a point of order, President, just on relevance, the member is outlining a number of events including a festival in the Golden Plains shire, which I cannot find a record of being a major event. I thought we were talking about major events here, so I just question it on relevance.

**Ms TERPSTRA:** Further to the point of order, President, in addition to the major events that I outlined earlier, like the Australian Open and the like, there are events that have been covered by sports ticketing event declarations. It is not just major events, so perhaps the member, if he listened more closely to what this act is actually about, would understand that it is major events but also events that have been declared. It is directly relevant to the bill.

**The PRESIDENT:** Thank you for raising the point of order, but unfortunately I cannot uphold it. I think it is within your contribution.

**Ms TERPSTRA:** Thank you, President, and as I said—

*Members interjecting.*

**Ms TERPSTRA:** Yes, it is most unfortunate. Perhaps if the member were to actually read the bill that is before the house, he might have understood that. I will go on. There is *Moulin Rouge! The Musical* and the 2021 Melbourne Winter Masterpieces: *French Impressionism from the Museum of Fine Arts, Boston*. There are so many fantastic things that we can have here in Melbourne, and that is why it is important that these changes that will be brought in will not only cover major event ticketing but anything that is declared as a major event. So I thought I would just educate those opposite on that for the moment.

Again, this is critically important to our economy. The upstream and downstream kick-on effects or flow-on effects from these events are critically important, and they just provide so much benefit to our economy and support jobs as well. In terms of stakeholders, the Department of Jobs, Precincts and Regions has distributed a discussion paper to over 30 stakeholders and organisations, so we have consulted widely and broadly. The majority of feedback taken in regard to the proposal was supportive and positive, and written feedback was received from a number of organisations as well.

Tennis Australia is also supportive of the changes, including information disclosure requirements around seat number, row and aisle and the identity of the seller. Again, this is critically important so we have full accountability and transparency for consumers. In fact it is also akin to consumer

protection because, as I said earlier, sometimes when you are buying these tickets online it does not accurately tell you the seat or where it is in the arena or the area that you are watching the show from, so you think you are getting a premium seat perhaps or something close to the stage and it winds up that you are in the backblocks and you cannot see and you need binoculars to see. That is very disappointing, so this is an added layer of consumer protection for people who might be wanting to buy tickets after they have been sold by the original ticket seller. As I said, from a consumer perspective purchasers will have that protection and certainty over the ticket they are sold and will avoid the disappointment of their seats not matching what was advertised and what they purchased. Tennis Australia noted:

... with some minor, key amendments to the Act, we believe regulators and major event organisers will be better equipped to prevent ticket scalping practices.

So again, the people who put on these major events are supportive of these changes. The Australian Football League is supportive, Live Performance Australia is supportive, eBay is supportive and Gumtree is supportive as well—the majority of stakeholders. I will leave my contribution there as I know there are other people who want to speak to this bill as well, but I commend this bill to the house.

**Sitting suspended 1.27 pm until 2.03 pm.**

**Ms BURNETT-WAKE** (Eastern Victoria) (14:03): I rise to make a contribution on the Major Events Legislation Amendment (Unauthorised Ticket Packages and Other Matters) Bill 2021. I will not be opposing the bill; as Mr Ondarchie said, the opposition will not be. This bill at its core intends to address the longstanding issue of scalping. The government attempted to address this issue with the Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017; however, unintended loopholes and deficiencies have arisen in that legislation, which my colleague Mr Ondarchie so eloquently put earlier, and this bill goes to addressing them.

Scalping has never been fair and it is not right. We can all relate to feeling excited at the prospect of seeing your favourite band or singers upon announcement they will tour Australia, or if there is a major sporting event coming up. There is a sense of excitement and anticipation to get tickets to attend. You log on to your computer with eager anticipation, only to find the tickets were sold out the moment they were released. That is one of the biggest issues with scalping—the day one fans, the fans that were with the bands or the groups that they follow from the very beginning, are missing out to the benefits of scalpers looking to package these tickets and make a quick buck.

This legislation makes a clear distinction between those who can and cannot package tickets, and I think that is key. Packages can be a great way to book an experience. You do not have to worry about where you will eat or where you will stay. Under these proposed laws a balance is struck between the good packages and the packages by those who are not authorised. This bill should prevent consumers paying thousands for a \$200 ticket to the footy coupled with a pie and a cheap motel for the night.

In Victoria we are spoilt for choice when it comes to major events. Most recently we hosted the tennis, and prior to 2020 you could catch a concert, sporting event, arts exhibition or car race at a number of our major recreation centres. This state really does have so much to offer, and we really need to get that back after the longest lockdown in the world. In Eastern Victoria we have the Phillip Island motorbike grand prix and a number of events in the smaller communities that may not be major but are meaningful events for those that live there and the community groups that dedicate time to organise them. Who does not love A Day on the Green in the Yarra Ranges, part of my region? These events not only bring significant economic value to our regions but are an integral part of the community and a wonderful place for people to come together. We really do have so much to offer once we open up fully again. It is important that we support these events and the organisers to get Melbourne back up there as the most livable city in the world.

**Mr GEPP** (Northern Victoria) (14:06): I rise to speak on the Major Events Legislation Amendment (Unauthorised Ticket Packages and Other Matters) Bill 2021.

**Mr Finn**: Are you going to the grand final?

**Mr GEPP**: I will take up that early interjection from Mr Finn. It will give me the opportunity to talk about a couple of major events that I have actually attended in recent years and why this bill is so important. I remember, Mr Finn, when scalping was nothing more than a dandruff problem, but now of course we have seen it blown out over many, many years. As Ms Burnett-Wake said, Victoria is the home of all major sporting and major events. We have so much to offer, and it is important for our citizens that they have confidence in the ticket sale structure so that they can participate in any of the events that are held—and I will come to a few of those in a minute. There is a very long list of them, and I will refer to many of them. But it is important that they are actually able to attend and know that they are getting good value for money and that they are not being ripped off, and of course that is at the heart of the bill.

This bill will amend the act to prohibit a person who is not authorised in writing by an event organiser to sell tickets within a package that includes other goods or services, and the amendments will apply of course to declared events. Amendments will also require authorised sellers of ticket packages to state the authorised ticket package seller's full name or business name, that they are authorised sellers in any advertisements and to state their ACN or ABN. So you can see right off the bat that there are many checks and balances in this bill—

**Ms Taylor** interjected.

**Mr GEPP**: Ms Taylor, it is an excellent bill and one that will serve the people of Victoria and indeed the many thousands of people who come from interstate to attend many of the major sporting events and cultural events.

**Mr Erdogan**: Mr Gepp, is the AFL Grand Final a major event?

**Mr GEPP**: The AFL Grand Final is indeed a major event, of course, particularly when it is held in Victoria. When it is held in Victoria there is nothing bigger. When it is held elsewhere it is probably not quite as big but nonetheless still has the same level of importance. The chamber might not be familiar with this, but I actually support the Richmond Football Club, and the Tigers played in a couple of very major events in 2017 and 2019 here on the hallowed turf of the MCG. Importantly, more than 100 000 people attended both of those events. I am not sure that there were quite that many when Collingwood played, but anyway I digress. Certainly when the Tigers played there were over 100 000 people. Importantly every person who attended that event knew the seat and knew the price of the seat and indeed the package that they were purchasing up-front, because they were authorised ticket sellers and people were aware in advance of who was selling them their ticket, what the price of the ticket was and actually where they would be situated. Of course we have all heard the horror stories where people turn up to events only to find that their ticket, through unauthorised sellers in various parts of the world, has been resold 10 times, if the seat actually existed in the particular stadium.

I did have the benefit of attending the 2017 and 2019 AFL grand finals, and I must admit I did have an interest there.

**Ms Watt** interjected.

**Mr GEPP**: No, no. I did. You have drawn it out of me, Ms Watt. You have drawn it out of me. I was not going to make mention of it, but I did.

**Mr Ondarchie** interjected.

**Mr GEPP**: If you reckon that's boring, wait until you get through another 8 minutes, because I could tell you quarter by quarter what happened. But I will not go down that path. And I am being a bit flippant, but I do not want to diminish the importance of the bill because it is a very significant bill

and these are very significant amendments to the act which will give people that certainty around the packages and the tickets that they are buying. There is nothing more abhorrent, is there, and it is basic theft when somebody is purporting to sell a ticket that they are not authorised to sell and indeed have no capacity to sell. It is tantamount to theft. That is what it is: it is tantamount to theft. They are taking money. They are using people's allegiance to their sporting teams, perhaps, and leveraging off that to swindle people out of money. So whilst I do jest and digress slightly from the bill, it should not be taken that this is not a bill that is of great significance to the people of Victoria and, as I said, even indeed the people of Australia, because we know that there are only certain events that are held in this great state.

Of course the Australian Open—I have heard previous speakers refer to the Australian Open. How lucky are we here in this town of Melbourne, in this state of Victoria? There are only four open grand slam tournaments right around the world, and we hold one of them here. It is so important to participants in that sport, the many thousands of people, and we saw them vote with their feet and attend the recent Australian Open tennis. And we all congratulate the winner of that tournament, Rafa Nadal. I think it is fair to say that the very vast majority of Victorians and reasonable people in this country were certainly supporting Rafa through that tournament and really cheering him on. And of course the great result for women's tennis—wasn't it magnificent to see our own Ash Barty, who, I might also say, happens to support the Tigers, just as a bit of an aside—

*Members interjecting.*

**Mr GEPP:** No, she does. And anybody who may have caught a glimpse of the third premiership, which I have not talked about yet, the 2020 flag of the mighty Tigers, which was held at the Gabba—it was played at the Gabba. We actually played another Victorian team, Geelong, but we took them out for a walk around the Gabba and showed them a little bit of what for. But anyone who saw that game on TV would have seen Ash Barty cheering for the mighty Tigers in the stands, and what a wonderful thing it was. But it was even more wonderful—yes, even more wonderful—to see Ash just a few short weeks ago win one of only four grand slam tournaments here in her own country. I think she is probably an adopted Victorian. Let us say that. She has got a Victorian footy team, so I think she is an adopted Victorian. To see her hoist that trophy aloft, the first Australian woman to do so since the mighty Evonne Goolagong Cawley—it was equally wonderful to see Evonne present Ash with the trophy, two very proud Indigenous women who stood up before the nation, before the world, and did so wonderfully well for this country. We salute Ash and Evonne and all of the wonderful Indigenous sports women and men who have participated on the global stage.

**Mr Finn:** I think Cotch was there as well.

**Mr GEPP:** Yes, he was, Mr Finn, indeed—the former captain. There are many, many sporting events, as I said, but what we should not forget are the theatre, music and arts events that we also attract to this wonderful state and this wonderful city of Melbourne and why this bill is so important to the protection and integrity of those events. Again, people want value for money, and they get value for money when they go to some of these very high-end productions that we see indeed just across the road here from Parliament House and in many of the wonderful theatres. And of course music events, whether they are at Rod Laver Arena just down the road, or they might be at the Sidney Myer Music Bowl or at many of the other fantastic venues around the City of Melbourne but more broadly in Victoria, are so important.

A couple of weeks ago I actually attended the Red Hot Summer Tour in Bendigo. It was one of the first live music events. I love live music. I go as often as I possibly can. It was so magnificent to turn up and see thousands of thousands of people at the Bendigo race club enjoying out in the open some marvellous, marvellous Australian music acts. But again, it was very, very important that you were able to purchase those tickets online, you knew who you were buying the ticket from, you knew how much you were purchasing the ticket for and you had all of the information available to you to be able

to go along and enjoy that concert in the manner in which it was promoted, knowing full well that you understood what you were getting before you walked through the gate.

Last Friday I also had the opportunity—again, this is so important—to officially open the Echuca Riverboats Music Festival. I was on the mighty Murray, and there I was on the paddle-steamer with David Frazer, who is a magnificent young man who has been organising that event for 10 years now. He started it from scratch. They get 6000 people who come into the township of Echuca every year to participate in that music festival, which goes Friday, Saturday and Sunday—over the course of a weekend—and it is estimated that each one of those 6000 people spends on average \$700 over the course of that weekend. They pump that into the local economy and, impressively, 73 per cent of the 6000 have an overnight stay in Echuca.

So you can see the importance of these events, whether it is sport, whether it is music, whether it is theatre, whether it is the arts. Do not get me started on the arts. We have the beautiful art silo trail right throughout regional Victoria. You have got to go past many of them, particularly Rochester, which is just down the road from Echuca. When you go past the silo art there in Rochester on the way through to Echuca—well, you do from Bendigo anyway; I am sure there are people that come from other directions—seeing the magnificent kingfisher there in the silo art is just wonderful. It is so important that these events are able to be held with the integrity that we expect in Victoria, and we can do so knowing that there is legislation that protects consumers of those particular events. I talked about Rochester, and of course they have got magnificent art as you come into the place. I will not go on and on about Rochester, but it is a wonderful place.

**Mr Ondarchie** interjected.

**Mr GEPP:** Mr Ondarchie, I do not know the last time you visited Rochester, but next time you are on your way to the Echuca races can I urge you to stop at Rochester and have a look at the beautiful street art that they have got and the beautiful silo art on your way to participate in a fantastic event. It can be any event—the Echuca Cup, what a wonderful day that is. I have been to it on many, many occasions. But importantly what I have been able to do is go to those things knowing how much I am going to pay and who is going to be providing the tickets.

**Mr Ondarchie:** Rochester—a major event.

**Mr GEPP:** Rochester is a major event. It can be a major event if we put it on the map. I am happy to put Rochester on the map. It is a wonderful part of Northern Victoria and leads so beautifully to the Murray up there on the border and to the twin towns of Echuca and Moama.

On those notes I will leave my contribution. Suffice to say that this is a very, very important piece of legislation. It will give Victorians who participate in all of the major sporting, theatre, music and arts events throughout our beautiful city of Melbourne and our beautiful state of Victoria a lot of confidence that this government, the Andrews Labor government, has got their back when it comes to purchasing tickets and enjoying these magnificent events.

**Mr ERDOGAN** (Southern Metropolitan) (14:22): That is a tough act to follow. I rise also to support the Major Events Legislation Amendment (Unauthorised Ticket Packages and Other Matters) Bill 2021—

**Mr Gepp:** But do you support the Tigers?

**Mr ERDOGAN:** No. As a supporter of the Magpie army I guess my reflection on those grand finals is quite different. I also had the pleasure—well, displeasure, in hindsight—of attending the 2019 grand final. I was going to say ‘pleasure’, but I think I left before the final siren went, actually.

**Mr Gepp:** So did Collingwood.

**Mr ERDOGAN:** It was Greater Western Sydney, actually—GWS and Richmond. As a Victorian I was very happy for the Tigers supporters obviously. The MCG is on the border of Richmond and East Melbourne, and that part of our city is a beautiful part.

**Mr Gepp:** Were you selling records?

**Mr ERDOGAN:** Yes, you could say that, Mr Gepp, thank you. No, I was not selling any records, but it was an interesting grand final to be at. These reforms and the importance of Victoria's major events we should all be well across, especially those of us on the Economy and Infrastructure Committee. We had an inquiry into the impacts of COVID-19 on the tourism and events sector. Mr Gepp will be well versed, and so will Mr Finn and other members of the committee that took part in that inquiry.

**A member** interjected.

**Mr ERDOGAN:** Yes, the Deputy President, Ms Lovell. We travelled across regional Victoria and heard about the great effect this global pandemic has had on the events and tourism sectors. It comes as no surprise that as a government we are taking action to protect the sector, because as Mr Gepp reflected, these reforms are about consumers but they are also important reforms for protecting the organisers of these events who take the risk and take the initiative. They say, 'We've got a big picture. We want to put on a show for people'.

**Mr Gepp:** They take on the risk.

**Mr ERDOGAN:** They take on the risk—exactly, Mr Gepp. The risk is important. They take on that risk and they reap the rewards, and that is what this legislation is about. It is about ensuring that they are protected, because obviously right now there are instances we are hearing about of unscrupulous people buying a ticket, say, for \$100 and then onselling it for \$200—double the price—without disclosing that, taking unfair advantage of consumers. Event organisers have told us that, because obviously there has been significant stakeholder engagement in preparation for this bill. On that point I will also acknowledge the work of Minister Pakula—he has done great work in that portfolio fighting for our major events sector—and also Minister Pulford for her work with the businesses broadly affected downstream from the events sector, because there is an interplay, as we heard during our inquiry.

**Mr Gepp:** We've got two better ministers, I reckon.

**Mr ERDOGAN:** Well, that is right, fantastic ministers and a lot of great work they are doing in these portfolios.

**A member** interjected.

**Mr ERDOGAN:** Ministers Pakula and Pulford—amazing work on major events. We are the major events capital of the country, so they are promoting Victoria. They are not talking it down. Actually, because this bill has bipartisan support I will focus on the bill, but they talk up the state's work, they do not talk it down. I think it is important to understand that these events do take place in our state. They are obviously frequented by large numbers of people, and people travel from across the country and globally to attend our major events. We have got the grand prix on, and obviously—

**A member** interjected.

**Mr ERDOGAN:** Yes, the grand prix. Mr Gepp referred to Bendigo, Echuca and Rochester, and it came to mind. And as a government we were talking about taking major events to the regions—the Commonwealth Games in 2026—so, who knows, maybe Rochester could provide the pub on the way, Mr Finn, that you referred to. What is the name of the pub, Mr Finn? It is important that when people go out to these major events such as the Commonwealth Games they visit the local pubs.

**A member** interjected.

**Mr ERDOGAN:** Exactly—the flow-on economic effects to the regions are crucial. In the lead-up to these kinds of major events, which, for example, the Commonwealth Games may be, it is important that the organisers are protected and that consumers are informed—they know what they are getting. Mr Gepp talked about knowing what you are getting, and that is an important point because sometimes when these tickets are on sold, people do not know their seating allocation and there is no full disclosure of what the face value is of these tickets and what they are being sold for, so I think that is an important consideration.

But this bill before the house is not something new. As I said, I am a supporter of the Magpie army, and every Anzac Day there are articles about this, about how people have been taken advantage of in terms of the onselling of Anzac Day tickets. This bill sets a limit of a 10 per cent increase on the value of those tickets, so it ensures that consumers are protected in that way. And it makes sure that, if there is going to be packaging or repackaging of these tickets for these major events, it is done in a way where it is authorised, with the participation of those event organisers who have taken on the risk and who are putting on the show for all of us. It is important that they benefit from the taking place of the events. The impact of major events—during our inquiry we heard, and EY told us—is a \$2.5 billion benefit to our state economy, and a crucial revenue stream is through ticket allocation and ensuring that the organisers have the sole authority to onsell these tickets.

This bill will amend the Major Events Act 2009 in a few consequential ways that will bring great comfort to Victorian consumers. The bill will, firstly, prevent unauthorised advertising or resale of tickets for declared major events that are packaged with other goods or services. Resellers authorised by respective event organisers will be exempt from this prohibition, with the understanding that if event organisers wish them to package them they should be able to do so.

Secondly, it institutes mandatory requirements for any ticket resale advertisements for such events. That is that consumer protection angle that we have discussed and that previous speakers Mr Gepp and Ms Terpstra have also highlighted. They include requiring authorised sellers of ticket packages to state their authorisation, full name or business name and ACN or ABN. The resellers will also be mandated to display important information about the ticket to make sure consumers are fully aware of the ticket's details and the premium they are paying during the purchase.

Third, these amendments will be implemented alongside the creation of an offence for falsely claiming to be an authorised ticket package seller. To support the enforcement of the new offence, event organisers will have to establish and maintain a register of authorised sellers of ticket packages for the duration of the event. The register will be displayed on the public website, and they will provide a copy to the responsible minister at the conclusion of the event.

The background to this bill is important as well because it builds on significant work that has already been done in this space, in particular significant amendments that were made to the act only a few years ago. A set of amendments introduced in 2018 expanded the range of major events that could be protected under ticket scalping laws. While previously only applicable to sporting events like the AFL Grand Final, the amendments empower the Minister for Tourism, Sport and Major Events to introduce a major event ticketing declaration for major sporting and cultural events alike. This will support events like *Harry Potter and the Cursed Child*, the Melbourne International Comedy Festival and *Hamilton* under the protection of anti-ticket-scalping laws. And that is fantastic because, as many of you would know, I was in the city last week and I was amazed at the amount of activity returning to our CBD. I was heartened. It was fantastic to see. Many of the guests were attending the *Harry Potter* shows, and in between they were eating and dining at some of the great establishments that we have across our CBD. So again the flow-on effects that these major events bring, the transportation—and Mr Barton is not here, but the taxis and other commercial passenger vehicles—that was also used to get to and from these events is all part of that. It was our government department and ministers that were responsible for bringing these events to our great state.

For such declared events the act makes it an offence to advertise, offer to resell or resell a ticket for more than 10 per cent over the purchase price unless authorised in writing by the event organiser. The 10 per cent threshold allows legitimate resellers to cover any administrative costs incurred while purchasing the original ticket. In this way several Victorian icons, like the Australian Open, Boxing Day test and *Shrek the Musical*, will not be susceptible to the predatory practices of a few.

Prohibiting ticket packages is another aspect to this bill. In particular the amendments are framed in such a way that ticket scalping provisions only apply to the advertised reselling of tickets to declared events. These provisions did not specifically address instances where the price of tickets is masked by being bundled together. As a result, some ticket resellers began creating their own ticket packages without the authorisation of the event organisers. These dubious attempts to circumvent ticket scalping laws masked the face value price of a ticket within the ticket package. An example of this consists of a \$100 Australian Open ticket and an Australian Open cap together that would be advertised for \$300, claiming the ticket was being sold at its face value, while the cap cost \$200 if you were to break it down at true face value. In other instances, a \$300 event package may include a ticket along with a social function at venues not necessarily convenient to the event. It is inconsistent that individuals are unable to resell tickets to a declared major event in the secondary ticket market at a premium over 10 per cent while other sellers gouge consumers by selling tickets as part of a bundle, so this is an important reform that will again protect consumers and event organisers.

The bill will close a loophole without prohibiting ticket packages authorised by event organisers to be sold. This exemption is an important part to safeguard legitimate and authorised ticket packages which may constitute a key part of the organiser's financial and ticketing strategy for staging an event. And I can say these ticket packages, especially to authorised and legitimate events, are quite popular. People like the idea of some fine dining, enjoying the best that Melbourne has to offer but also enjoying some theatre or sport to go with that. So it is fantastic that this exemption exists to protect the legitimate operators.

The amendment is also intended be enforced, with only minor administrative changes, by event organisers. Enforcement is always important when you make laws such as these. It is one thing to have a law and a set of regulations. It is another thing to do the enforcement the right way. It goes a step further by requiring ticket resellers to provide the original face value price of the ticket, the resale price and information such as seat details and location in any advertisements or offers of resale for declared major events. Currently there are only few requirements relating to the product information that must be provided by ticket resellers in their advertisements or offers of sale. These advertisements often considerably limit information regarding the ticket, leading to consumers being unaware of the location of the seats they are purchasing as well as the original face value. As a result, consumers and the Australian Tax Office are limited in identifying if a ticket is being sold within 10 per cent of the original price. In addition consumers are potentially misled into paying more for a ticket in the belief that the higher price is justified by the location of the ticket. These reforms provide a fairer ticket resale market for all consumers, not only those in Victoria but those coming from interstate and overseas, to enjoy the major events we host.

These amendments will bring great relief to our critical major events sector by ensuring the economic benefits generated by authorised ticket packages go to promoters and event organisers who undertake the risks of organising these events. In turn, local and international artists, performers and athletes who will compete and perform are benefited rather than those who are preying on fans. Major events have always been a key component of Victoria's fabric, and the industry has grown by over \$700 million since this Victorian government was elected in 2014. These events have attracted almost 6.9 million international and interstate visitors to our great state and supported nearly 3500 direct jobs. It is important to remember our place as Australia's major event capital and that there is ongoing stiff competition to maintain this position. I think a great way to maintain this position is by ensuring that consumers are protected. Robust ticketing anti-scalping laws are a crucial factor in encouraging event organisers to continue staging events in Victoria and protecting our title as the major events capital.

In light of this I think it goes without saying that I commend the bill to the house. It is an important piece of work. I commend the ministers and the staff for bringing it to the chamber after such an extended time and large consultation. On that note, I commend the bill to the house.

**Mr QUILTY** (Northern Victoria) (14:36): I will be brief. I rise today to speak in favour of ticket scalping. This is part of our ongoing series of unpopular opinions that are economically sensible. In much the same way as my colleague Mr Barton rails against Uber surge pricing, it is generally seen as a bad thing when someone buys a ticket and then resells it for more money. But this is a mistake. There are two ways to deal with the scarcity of a resource: the free market way, raising the price; and the socialist way, rationing and queueing. The iron law of supply and demand applies to tickets to events every bit as much as it applied to potatoes in the Soviet Union. In reality, scalping can only occur when tickets, for whatever reason, are sold below their market value by the event organiser.

Instead of the promoters selling tickets at the prices people are prepared to pay for them, they set lower prices and accordingly create a shortfall. People need to join a queue to buy them at a cost of time, or they need to join an online scrum trying to fight their way through ticketing sites to purchase. If you are a person who cannot afford to stand in a queue or at the box office lottery, you miss out even if you are someone who is willing to pay more to secure a ticket, if attending the event is worth far more to you than someone who secured a ticket. It is tough luck, suck it up.

The scalper is a hero who steps into the breach matching the people who most want tickets, those who are willing to pay the most for them, with the tickets that they need. Just as the Uber swoops in to get you home, at a premium, when you are stuck out at night and the taxis are many, many hours away, the scalper is a problem solver—for a profit of course. The profit is a reward we give for delivering needed goods and services. It puzzles me that there is even still a problem with the supply of tickets for the government to be solving today. There is no rational reason scalpers should have to play their role; event organisers should be capable of filling the role themselves. Timed release of tickets, ticket auctions—there are plenty of ways the organiser could ensure that they extract the surplus in the situation rather than scalpers. Frankly, I have a strong suspicion that government regulations prevent event organisers from taking advantage of discriminatory pricing thus forcing scalpers into the breach to take up the slack. The next thing you know we will be seeing the government having to subsidise the event industry because they are not making enough money. What are the chances of that?

To touch on the substance of the bill for just a moment, banning the curation of bundled packages that include tickets is going to impact on charities and local organisations that use such bundling for fundraising. This is not so much an unintended consequence as an indifference to consequences from the government. To sum up, free market is good, government regulation is bad. This bill is nothing but a solution in search of a problem. The Liberal Democrats do not support this bill.

**Ms SHING** (Eastern Victoria) (14:39): He may have been brief, but the speaker who preceded me has thrown a cat amongst the pigeons of free market economics that in and of itself probably warrants a crowd of 30 000 and therefore as such warrants a declaration as a major event in and of itself.

I want to talk today with the time that I have available, which will never be enough because I have always got more to say, about the nature of the events—live events, festivals, musicals, culture, performance, installation and exhibits—across Melbourne, the outer urban areas, the peri-urban fringe, the regional towns and centres and indeed our rural locations as well. What I want to do is talk about some of the things that are going to benefit from this bill, as enacted in legislation, to provide a measure of clarity, transparency and consistency in the way in which events are able to be attended by patrons and spectators and the way in which there is regulation to minimise and indeed to remove the short shrift which audience members and attendees often receive when they sign up for something which does not materialise or when in fact they are—and I have never understood why this is an insult—sold a pup in terms of a bundled package deal for dinner and a show, for example.

I did hear before the really long list of wonderful productions, exhibits, installations and events that Ms Terpstra took us through. It was a shame that this was the subject of a point of order, indicating that those opposite have not read the bill and therefore do not understand the nature of a declaration which can be made and is indeed regulated by this particular amendment to the existing legislation. But what I do want to do is to touch on the way in which this bill will, upon its passage, make for a better system of facilitating access to our events calendar. And what a calendar it is.

I was actually asking our extraordinarily efficient and very long suffering whip, Ms Taylor, about whether anyone had mentioned *Hamilton*, and I was told no, nobody had mentioned *Hamilton*. And so I am going to do that. I will put on the record that we will in fact shortly see a large-scale musical event, a spectacular, come to Melbourne to continue the extraordinary line-up of events that really do put us front and centre of the Australian stage and create a groundswell of audience numbers and also the knock-on consequences of attendance at these shows by virtue of dinners, pre-show drinks and weekends spent in Melbourne—and we know that *Harry Potter and the Cursed Child* was one of these examples—whereby multiple shows equal opportunities for people to stick around and to enjoy all that Melbourne has to offer.

When I listened to contributions from those opposite which talked about the uncertain and indeed very distressing state of the centre of Melbourne in the midst of the most stringent of restrictions that we have seen in the last two years, the thing that came to my mind was the sheer relief now being felt, not just as a consequence of the announcement we have made today around \$300 million of support for businesses and traders, not just in Melbourne but all around the country, not just for everyone but targeted towards specific groups to improve and enhance access. I also thought that it is in fact measures like these which will come as music to the ears of some of our fiercest advocates for reopening and supporting an economy which is strong and vibrant and which has at its heart one of the most colourful arts and culture line-ups you will find anywhere in Australia. Up there with our coffee, it is to my mind second to none.

So when I think about the way in which this sits overall within a package of stimulus and recovery announcements, I think about—and this has been flagged before by Mr Erdogan, and also by Mr Ondarchie when he was on his feet—the exclusive negotiations which are commencing to attract the Commonwealth Games for 2026 to Victoria with a unique pitch, departing from our earlier hosting of these games, within regional and rural Victoria to showcase the very best of what we have to offer. It brings to mind the changes that are enacted by this particular bill. It brings to mind the focus on equity and on access to opportunity for audiences and for showgoers, for spectators, for sports fans, for art lovers and for people who love to see musical theatre time and time and time and time again. I do know that there are many friends of mine who have seen the same production at least four or five times and love to enjoy these sorts of events as singalongs. These are the sorts of things that will be at the direct heart of benefits conferred by this legislation.

It is not just about the grand prix, it is not just about the Australian Open, it is not just about large-scale grand slams, it is not just about the return to full capacity for the grand final and it is not just about making sure that we are competing on an international stage for the sorts of events that will really put us front and centre of an increasing number of different offerings; it is about the way in which we are sending a message of consistency in the way in which the events space is regulated. So when we think about something like the Melbourne Winter Masterpieces—and it was a joy as Parliamentary Secretary for Creative Industries to attend this event and to speak in support of it at the time that the media call took place and then when it opened—it is not just about partnering with international organisations and some of the institutions, the luminaries of our arts and cultural world, it is about making sure that this government sends an unambiguous message to event organisers and to promoters to leave no doubt about the fact that we take the regulation of major events seriously and that in doing so we want to create an environment in trade and commerce on the one hand and in consumption and enjoyment and spectating on the other that levels the playing field and reduces and to the best extent possible removes the risk of people getting short shrift.

I touched on bundling before, and one of the things that is important about this and about the nature of removing the access to bundling as it has previously occurred is something which I would have thought those opposite would be particularly supportive of in that it is about transparency and it is about accountability. It is about saying that should you wish to bundle up a ticket to a show in the C seats and get yourself a happy meal or equivalent, you can then pay an extra \$40 or \$50 with a bump-up at the bottom line of the promoter's ticket offering that will in fact mean that you have gotten value for money. And it is a 'tale as old as time', to quote *Beauty and the Beast*, another wonderful musical which has in fact graced world stages for many years, that these sorts of opportunities are often seized upon to have a greater carve-out or indeed some might argue a gouging component that removes the clear distinction between the cost of a ticket on the one hand and the add-on on the other. Making sure that we have the opportunity to regulate this is important. I would have thought that those within the Liberal Democrats would understand the importance of making sure that there is a fair deal and that people from their electorates are not in fact getting a raw deal and are not in fact vulnerable to exploitation, simply because they want to get a ticket and the only option that they have is to pay a jacked-up price that includes a dinner or a glass of something sparkling beforehand.

I want to acknowledge the work that has gone into developing these changes, and this is about making sure that investment attraction, including in the events space, is done in a way that brings everybody along and making sure that we are preventing unauthorised advertising or resale of tickets as bundled—which I have taken both of those people watching from home along the journey of today—but also making sure that we have mandatory requirements for ticket resale advertisements for major sporting events subject to that sports ticketing event declaration or major events subject to a major event ticketing declaration.

I am going to put it on the record now: I have never played sport particularly well. In fact I do not play sport well at all. I am happy to fess up for the record—and you are not going to get an explanatory statement from here following what I am about to say—I have no catch reflex whatsoever. I was asked to leave the netball team when I was in about grade 5, and I have never returned to the auspicious role of wing defence since. However—

*Members interjecting.*

**Ms SHING:** Well, it is nice to know that I have some compatriots here who, like me, were consigned for all time to cut oranges at half-time. What I do want to say, however, is: put me in front of a Wallabies game, put me in front of a clash with New Zealand or South Africa, and I am a happy, happy camper. There are few sports about which I know the code and fewer sports about which I know the rules, but having said that, there is a lot to be said about being caught up in the fervour of a major event, the electricity of a large crowd—and haven't we missed that in the last couple of years? We have seen what has been achieved in recent weeks, even, with our various pride celebrations and cups, with the Australian Open—the triumphant victory of Ash Barty—and despite the fact that I cannot call a foot fault to save myself, I was still swept up as much as anybody else in the enormous tenacity, energy and indeed metaphoric victory of it all when Ash claimed the title. I was there leaping like Tom Cruise onto my couch at home in favour of Raf Nadal bringing it home—five sets, what an extraordinary effort. I could not run around a tennis court twice without probably running out of puff, but gee, I was able to sit at home with my Bega cheese cubes and my Savoy and cheer everybody along.

And this is what it is about—it is about participation, it is about making sure that when we line up with our tickets to get into a venue or a stadium, we know what we are going to get, that the experience that we have as viewers, as aficionados, as fans or indeed as people like me, who are completely mystified but happy to go along for the ride, is an opportunity for everybody to partake in a way that adds to this city's vibrancy, that adds to the extraordinary colour and movement of everyday life and of special events and occasions right across the state.

I am looking forward to seeing that these sorts of schema that encourage and indeed promote and indeed deliver greater transparency and accountability can be brought into effect around Australia and can in fact lead to a level playing field, which in the aggregate brings more international events to our shores and in fact continues the extraordinary contribution of creative arts and industries and of major sporting and other events to Victoria. Mr Erdogan referred to 3600 or 3700 direct jobs with many tens of thousands more downstream as that relates to hotels, hospitality and accommodation and other entertainment that sits adjacent to attendance at a major event. And what we see here now more than at any other time that I can recall is the importance of making sure that we are investing not just in those 3600 or 3700 direct jobs but also in the people who need and rely upon steady employment as part of our recovery and rebuilding process. Sitting alongside the work that we have done to invest in jobs, to invest in infrastructure, to invest in a record amount of funding for the sorts of programs, services and delivery that will benefit all Victorians for generations to come, the events calendar is as important a piece to this puzzle as any other.

So I am looking forward to other contributions on this bill here today. I am looking forward hopefully by the end of contributions made by members of this chamber to not be alone in my steadfast willingness to claim a complete lack of coordination and spatial ability. I am looking forward to anyone who sees me trying to drink from a water bottle and walk in a straight line, and failing abysmally, to turn a blind eye and to know, however, that despite my corporeal lack of elegance I am still able to be in the front row cheering when it comes to our extraordinary major events calendar. I am hoping that all Victorians will join with the ones we have loved and missed and a series of wonderful strangers, masked up, vaccinated as required and otherwise able to enjoy in a safe way the events calendar that we have now and the events calendar that we will continue to have with greater safeguards and measures of certainty and security than ever before as a consequence of the passage of this bill, and I indeed affirm it in a very uncoordinated way to the house for its passage.

**Ms TAYLOR** (Southern Metropolitan) (14:54): I can relate. As I was saying to you before, Ms Shing, I did not even make it to the netball team. I could only dream of making it to the netball team.

*Members interjecting.*

**Ms TAYLOR**: I do not know. I was better suited to ballet, so we have all got our thing and ballet was my thing. Now, I did not become a professional, I will note, but it is still a great love, and I am even doing a ballet barre at home. Anyway, I digress—

*Members interjecting.*

**Ms TAYLOR**: Yes, I have started. I just feel like it is a good way to keep fit.

**A member** interjected.

**Ms TAYLOR**: Well, you know, we all have our thing. I suppose the point is that you do not have to be a brilliant athlete to admire other athletes and to admire major and brilliant spectacles whether on the sporting field or at major cultural events. I have felt quite emotionally moved on a variety of tangents this afternoon relating to the great love that is shared—and I reckon across the chamber; I will say that safely—for the magnificent sporting and cultural events, noting that Melbourne is absolutely the capital. This has been said, but I am going to say it again because it is no mean feat that so many Victorians turn out and turn up for these major cultural events. It would be so easy to just sit back and—I do not want to reflect on America, but with the Super Bowl a lot of that is done on television.

**Ms Shing**: No-one wants to reflect on America.

**Ms TAYLOR**: Okay, we will not reflect on that. But that is TV stuff, isn't it? There is a place for TV too, but there is nothing that beats being there live. I have to say I am not actually always the best at watching sport et cetera on TV—except Ash Barty, I did watch her; I loved every second of it, and

Nadal. But there is something to be said for actually being in an arena, isn't there? I do not know what it is, but you can plonk me at the MCG in front of just about any major sporting event and I will be enraptured, because there is that great communal ambience that connects us all. It is social, isn't it? It is social, it is emotional, it is moving and there is something about that collectivity to the point that I often end up almost crying when the national anthem and other things are sung. I do not know why, but it becomes a full emotional event. I think that is exactly the point that Mr Gepp was making earlier. He was saying that this is why the average consumer can be so vulnerable, because they so much want to be part of those experiences.

It starts in childhood in Victoria. I am not saying it does not overseas as well, but it is certainly something that is a characterisation of our great state. In wanting to be part of those experiences people will go the extra mile, and others who perhaps have ethics that are not as strong and are not as discerning perhaps take advantage of that. We have seen that a lot. It is not acceptable, hence the imperative for a great state like Victoria to have strong regulation in place. And contrary to what might have been asserted by the Liberal Democrats—they have their right to their point of view; I totally respect that—we do see that there is merit in having reasonable regulation in this space, because it is the right thing to do. We do not like consumers being taken advantage of. None of us here want to be in that situation, no less see fellow Victorians in that situation. Taking reasonable means to protect against that has got to be a good thing.

I did want to pick up on a couple of points that were raised earlier, because there is this issue of loophole upon loophole and closing loopholes, which is really what this legislation is about at the end of the day—trying to minimise scope for those with less scruples, can we say, who might try to take advantage of fellow Victorians, if I say it broadly. In addressing some of those points, without authority from the event organiser the onselling of a ticket package would be in breach of the legislation being presented to the house. Any easing of the seeking of authority from the event organiser has the potential to create a loophole which would be difficult to enforce. Whilst I accepted some of the points that were raised by those opposite—and I think that is what having a debate in this wonderful chamber is all about—we have to be careful that in trying to achieve one thing you do not create a further problem. Hence there is a rationale behind the way that this legislation has been drafted as it has. It is indeed anticipating further and other outcomes which would not be advantageous and which would indeed possibly create another loophole. That was kind of a circular argument, but it made sense in my head. I do not know how it landed, but it made sense in here, so that is something.

I am just picking up on another point that was raised by Mr Ondarchie. Based on the terms and conditions of a ticket package, a purchaser who cannot attend an event may be able to seek a refund—that is point 1—at the discretion of the authorised ticket package seller or seek an alternative attendance date from the package seller. So there are these options, but it is just that the cons outweighed the pros from going an extra step which indeed would create an undesirable loophole that we do not want to create in these circumstances. At the end of the day it is a pragmatic thing. The new measure will guard against individuals and companies buying tickets and then obscuring inflated resale prices for seats in packages with hospitality experiences or merchandise. That seems fair and reasonable, and I think it is right and proper for our government to be taking these steps. I did not sense a lot of objection in the chamber. Little hints—

**Ms Shing** interjected.

**Ms TAYLOR:** A little grumbling. They are always grumbling. But overall I am pretty certain that there is a good consensus and there is a strength of standing behind this legislation for good reason. What is the good reason? One of those reasons is that we have had extensive consultation with stakeholders. These organisations include: the Arts Centre Melbourne, the Australian Football League—we were talking before about the AFL, weren't we, and I might just add that the Melbourne Demons did win the grand final last year. I just want to reinforce that, because there was a lot of discussion about the Richmond Football Club. This is why we must win again this year, right? All the more reason. I can feel another trip to the MCG coming on. I would really like to see that.

Anyway, there was Consumer Affairs Victoria, Cricket Australia, eBay, Facebook, Frontier Touring—you get the gist—Gumtree has been mentioned, Her Majesty's Theatre, Kardinia Park, Live Nation, Live Performance Australia, Marriner Group, Marvel Stadium, Melbourne & Olympic Parks Trust, Melbourne Cricket Club, Melbourne International Comedy Festival, Meredith Music Festival, Michael Cassel Group, Music Victoria, Premium Seats, Sportsnet Holidays, StubHub, T20 World Cup local organising committee, Tennis Australia, Ticket Brokers Association of Australia, Ticketmaster, Ticketek, Tickstar, Vantage Point Events and Viagogo. So you can see that there has been extensive and appropriate consultation, and this certainly gives credence to these various amendments that are being presented as part of this bill in the chamber today. We can see this is why the bill is landing as it should and has so much support and consensus behind it, in spite of a couple of little grumbings along the way. But I think it goes without saying that there is a clear imperative to make these changes, as was said very eloquently by Ms Shing in between discussions about netball and other activities.

**Mr Finn** interjected.

**Ms TAYLOR:** You missed that? Well, that is a grand shame, and I am happy to remind you of some of those elements. It was tops. It was really terrific. There is a strong imperative, because we need consumer confidence if we are going to continue to have people attending events, putting their faith in ticket organisers et cetera. It is a quid pro quo, isn't it? It is about respect and making sure that people know, 'I'm getting the ticket I want, I've paid a fair price and it's transparent'. Who knew that people would like transparency? Indeed they do. In fact all the stakeholders consulted lend themselves to an understanding of how important it is to have transparency in this space, because we do not want anything—any nastiness, any narkiness—to detract from the magnificence of all of our brilliant major cultural and sporting events.

There was something Ms Shing also picked up on: the 2021 Melbourne Winter Masterpieces, *French Impressionism*, from the Museum of Fine Arts, Boston. Well, that was just magnificent. It was just beautiful. You go right up to the picture, absorb or stand away, and either way you just cannot believe how these brilliant artists came to that point, that magnificence. I do not know if you got to see it, Mr Finn, but it was magnificent.

**Mr Finn:** Well, I think I'm listening to a fair artist at the minute.

**Ms TAYLOR:** Okay, I will accept that. As somebody who is a great admirer of art, I am very much an amateur. It is just something that I love to see, and I think it is part of being somebody who grew up in Victoria, although art is admired across the world, without a doubt. In fact to that point it can also attract, obviously as we know, and has brought great income to our great state and actually to Australia, holding these major cultural and sporting events. A report found, for instance, that in 2018 the value of major events to the Victorian economy had soared up to \$2.53 billion a year. I think it goes without saying that not only are these events incredibly enjoyable but they also attract a great influx of funds for our economy at the end of the day. If we think about it, we are also supporting our local sportspeople and artists. If you have integrity in the way that tickets are purchased and transacted, at the end of the day you are also supporting future works and artists. I know I might be stretching it a little bit there, but ultimately it is all part of the story, isn't it, because we know how hard it is.

As someone who danced at an amateur level, I know that when creating fine art, whether it be the ballet, opera or otherwise, you are absolutely at the mercy of your physical self—the slightest injury and your career can be over. It is not dissimilar in tennis, in football or in so many different sports. You would know yourself, with your football team, with the Australian Football League, that it is really delicate. I think this is why we get so much pleasure when we do attend these major sporting and cultural events. Whatever your shtick is, it is because we know the incredible sacrifice and the practice and the years and the risks involved in promoting but also in pulling these incredible events together.

I will commend Minister Pakula also, because it takes huge courage but also great consultation and great vision for this great state to entice and hold these magnificent events, to keep them going and to keep that confidence both at a government level but also internationally and across Australia. So I think that this particular legislation is landing at just the right time, and though I know that, like Ms Shing, I will never be a famous netballer or sportsperson—

**A member** interjected.

**Ms TAYLOR:** No, it is not going to happen—or ballerina, for that matter, I can still enjoy it and enjoy it with confidence. And I know my fellow Victorians can as well.

**A member** interjected.

**Ms TAYLOR:** Maybe netball, maybe basketball—either way. But I can still admire it and know with confidence that because of the protections being brought in by this legislation we are mitigating the risk of people being ripped off—that is what we are talking about—because we do not want that, not in our great state. So onwards and upwards with our major cultural and sporting events, and I commend this legislation to the house.

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (15:08): Can I just thank all members for their contributions on this debate. It has been thoroughly entertaining to hear what members' personal reflections and experiences are in relation to their own participation in and observation of the extraordinary major events calendar and history—and their excitement about the future that we have—here in Victoria.

I thought I would start by reflecting on what a truly difficult couple of years it has been for the major events part of our economy and our major events communities: promoters; stage set-up folks, the events businesses that set up and then take down the structures that enable things like the grand prix to occur and the really specialised and dedicated workforce that have in most cases lost most of their work over the best part of a two-year period; the sound people; the light people; the technicians and of course also those adjacent industries; the retailers that benefit from the Spring Racing Carnival; the hospitality businesses that burst into life and are just jam-packed when the Australian Open sets Melbourne alight for the start of each new calendar year; and of course all the accommodation providers. Anybody who has ever tried to get a room within a roar of this part of Melbourne—so close to our major events precinct—when those big events have been going gangbusters knows well how quickly the hotel rooms fill up.

And it is not just our sporting precinct. There have been some wonderful reflections shared about our theatre precinct—also incredibly special. Throughout Victoria the benefit of visitation that comes from our events calendar is very, very significant. Ms Shing mentioned this, I think Mr Gepp mentioned this—it is pretty much all anyone from regional Victoria was talking about last week—and I am also very, very excited about this first step that has been taken in terms of exploring a regionally focused and based Commonwealth Games. We wish those working on that proposal every success over coming months.

There were a couple of comments or concerns, issues, raised by a couple of members through the course of the debate and in some discussions outside of the chamber during the week, and I will take the opportunity to respond to those for completeness but also thank members in the chamber who are overwhelmingly supportive of this bill, which underpins our major events calendar, our major events sector, which is of course so important to not just the economy but the very social fabric of our state. Mr Limbrick and Dr Cumming had some questions. I think, in part, one of the questions the Liberal Democrats raised was, 'What is the problem here that we are seeking to fix?'. So in response to that—and other members have reflected on this, including Mr Ondarchie in his contribution—the purpose of this bill is to tighten legislation where unauthorised ticket sellers are buying tickets to declared major events and then bundling them with other goods so that they are able to sell the tickets at a profitable

mark-up. The bill is about protecting consumers from having to pay inflated prices for additional goods and services that they might not necessarily want just to get their hands on that ticket of their dreams—providing the event organiser with discretion over who can sell ticket packages, which helps ensure the benefits of ticket sales and packages flow to the event organisers and the artists who carry the financial risk of hosting events. Ultimately, above all, this bill is about ensuring fairness and reward for effort and assisting authorised ticketing offices with enforcing the act.

Now, in spite of the passion that the debate has brought to the chamber this afternoon, it is quite a modest reform that is before the house. There is a loophole that has revealed itself, and it is that loophole that is being closed. There was a question or a concern that Dr Cumming had which related to the impact on charities, and I think it is a good and important question, but I just want to provide some advice on this to satisfy any interest that the house may have or any concern that the house may have. So with existing legislation, under the Major Events Act 2009, if a charity wishes to auction off a ticket to a major declared event for more than 10 per cent above the face value purchase price, then the authorisation of the event organiser is required, entirely reasonably. It would be an offence for the charity to do this if they were not authorised.

The same rules apply to charities as apply to all other organisations. So a raffle, for instance, conducted by a charity to win a ticket to a declared event would not be considered to be a breach of the act, assuming the cost of the raffle ticket would not exceed the face value purchase price of the ticket by more than 10 per cent. So when the authorised ticketing officers come across instances of complaints against charities in relation to the scalping of tickets for declared major events, these officers have discretion for enforcement measures, and I think that is an important point. It would be far more likely that a charity that found themselves operating outside of these in error would be asked to ensure their compliance and to fix up any deficiencies in their own systems. Really it would be perhaps a matter that would be escalated if you had persistent and serious breaches.

There was some interest from Dr Cumming in an exemption being allowed for charities. Our concern, and we have explained this, is that if charities were to be granted an exemption under the bill it could also be argued that the exemption would need to be applied to other not-for-profit organisations or community-based groups such as sporting or hobby groups. You can imagine the whole framework could be blown wide open with a whole lot of exemptions. Just to give you a sense of the number of charities that are registered, there are in Australia 600 000 not-for-profit organisations, 54 000 of which are charities in a formal and legal sense. All that charities need to do, should they wish to organise fundraising activities or gifts or donations as part of their usual activity, is the same as all other organisations—that is, to seek the consent of the hosting organisation. Again this is about making sure that everyone gets a fair go at the tickets and that consumers are getting what they have paid for.

Some of these events can be quite expensive. I think for many people they represent a really significant proportion of that discretionary income in the household—very, very special occasions, maybe to the tennis once a year. You would have been so lucky if it had been this year, because it was an extraordinary Australian Open. Maybe it is a ticket to the theatre for a birthday ending in a zero or a special anniversary ending in a zero, a trip to the Melbourne Winter Masterpieces, a trip into town and a night away perhaps. These are very special occasions, and it is really important that when people are investing their hard-earned money in these special occasions that they get what they pay for and that they are purchasing those on a level playing field. I think we can all agree that that is very, very important, whether you are a sport nut like our major events minister—any type of sport, anytime, anywhere—or, like me, are closer to the range that Harriet described, you know, ‘I’m not really sure what’s going on at this particular moment, but gee, this thing has got an amazing atmosphere, an electric atmosphere and it’s so exciting to be here’. I am probably closer to that end of the range than to Mr Gepp’s outrageous use of the chamber, emboldened as he was by the Deputy President with all that Tigers business, though I note you are here Mr Finn too, so I will be careful before you stop me.

It is literally horses for courses, not just the Spring Racing Carnival but think of the range of events. You have the naughty and outrageous productions like *The Book of Mormon*, and you have a beautiful

event probably dominated by girls and boys under the age of 10 having a lovely, lovely time at *Frozen*, which is currently on, so each to their own. There are the sports mad and those who are—and this is perhaps a personal reflection—absolutely busting to get to the NGV to see the Chanel exhibition before it packs up or to the Spring Racing Carnival, which of course has such a significant impact on our economy in terms of catering and all of the activities that occur away from the track as well as all of those that occur at the track. I have very much enjoyed hearing from people about the things that they love, and I too take this opportunity to outrageously add my congratulations to the victors in the Australian Open in January. It was quite something. I am still recovering from that five-set men's final. Congratulations, Mr Nadal. I think there was a nation affected by goosebumps in a way not seen since Cathy Freeman won her gold medal in 2000 when Ash Barty played that final point.

**Ms Shing** interjected.

**Ms PULFORD:** Of course there was that extraordinary week in Dylan Alcott's life when he had to zip up to Canberra to be named Australian of the Year and then zip back to play in his final, having inspired a nation not so many months earlier at the Olympics. We wish Mr Alcott every success in his year ahead. He made it very clear on day one and I think every day since that he will be a powerful advocate for Victorians who live with a disability, and all strength to him and to those with whom he works on that important, important endeavour.

This legislation, whilst it is a modest amendment that closes a loophole, is about reinforcing our major events framework. It is about making sure that when our Department of Jobs, Precincts and Regions or our minister for major events goes and engages with promoters and event organisers around the world in a very competitive environment they can say to those people with absolute confidence, 'You bet we can host *Moulin Rouge!*. You bet we can put on this sporting event. Yes, we will take your extraordinary works of art and we will spend our winter months rugged up attending our art galleries and enjoying that part of our world's history'. It is one of the defining characteristics of Melbourne's culture, and we are really proud to support it. We are really proud to be supporting the passage of this legislation today that will ensure that it continues to play such an important part in the state's economy and in the lives of all of us, whether it is little kids being inspired by people like Dylan Alcott, whether it is a young ballet dancer, like Ms Taylor spoke about, being able to go and see something extraordinary that then causes them to dare to dream of what they might be able to do and what they might be able to fall in love with, whether it is a sporting pursuit or a cultural pursuit.

I might conclude where I started. As members would know there are piles and piles of reports and analyses of the economic benefits of these events. They are things that successive Victorian governments for a long time have invested in, have pursued, have nurtured and will continue to do so. I have no doubt it is something that generally enjoys really strong bipartisan support as to the investment in the infrastructure and the precincts where we host these things as well. So a final message to those who have been so impacted for the last couple of years as they have not been able to work and to bring these events to life for us: we look forward to catching up with you many, many times this year and in future years. I commend the bill to the house.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (15:23): I move, by leave:

That the bill be now read a third time.

**Motion agreed to.**

**Read third time.**

**The ACTING PRESIDENT (Mr Melhem):** Pursuant to standing order 14.27, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the bill without amendment.

**SEX WORK DECRIMINALISATION BILL 2021***Council's amendments*

**The ACTING PRESIDENT (Mr Melhem)** (15:24): We have got a message from the Assembly:

The Legislative Assembly informs the Legislative Council that, in relation to 'A Bill for an Act to decriminalise sex work, to repeal the **Sex Work Act 1994**, to provide for a new protected attribute in the **Equal Opportunity Act 2010**, to make consequential and related amendments to other Acts and for other purposes' the amendments made by the Council have been agreed to.

**SERVICE VICTORIA AMENDMENT BILL 2021***Second reading*

**Debate resumed on motion of Ms PULFORD:**

That the bill be now read a second time.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (15:25): I am pleased to rise and make a contribution on the Service Victoria Amendment Bill 2021. This is a bill that the opposition does not oppose and sees some considerable merit in. In summary the bill provides a new mechanism to empower Service Victoria to deliver a range of public services ranging across government agencies and departments and so forth; to expand the services and functions that Service Victoria is able to deliver to a broader range of services as well as ones that loop in certain ones from other jurisdictions and the commonwealth, potentially; to support the digital transformation across government and the use of digital tokens and to allow customers to use a Service Victoria credentialled electronic identity; and also to enable Service Victoria to hold the various agency data and allow various agencies and departments to access that storage capacity that is involved; and to do something about the need for data protections and the consistency of data protection across Service Victoria.

The last bill actually was an interesting introduction, with some of the minister's comments at the end there about the period over the last two years, the challenges that have been faced by businesses and others across the community and the increasing role of digital services through that period. The last bill also talked about matters around tourism and the events sector. All of these are examples of sectors that through this two-year period or 2½-year period have faced under COVID various challenges—and I, like others who spoke on that last bill, was on the inquiry looking at tourism and events and looking at the incredible challenges faced by small businesses in both those sectors and the burden that was placed on them by government requirements. Some of the government requirements were legitimate and some were not—and there was certainly a significant minority report written by the Liberals and Nationals on that committee that laid out a number of the weaknesses of that inquiry—but leaving that aside, my point in raising that and picking up the minister's point at the end of that last bill is that one of the things that COVID I think has done is to point to the importance of the digital economy and the ability to get a lot of government services where possible onto the digital platforms

to enable people to access them and to do that in a cost-effective way, a way that does not drive people barmy. The quality of digital services is actually an incredibly important aspect, and to the extent that this bill seeks to remedy some of the clunkiness, the slowness and the difficulty of accessing some digital services, we welcome those steps and see these as matters that really at a deeper level are bipartisan to actually make sure that that access is possible.

I do think there is a long way to go, and I do not think Victoria can hold its head up high through a lot of this. We were very slow—very slow—to get QR codes and other matters functioning. Ms Taylor looks askance, but she will remember the questions—the repeated questions in this chamber—from the opposition as the government lagged behind New South Wales and other jurisdictions in putting in place some of those QR code issues. Some of that I think was a policy decision by government, but part of it at least was driven by the tardiness of the bureaucracy and the inability to take the sorts of digital steps that were needed. I am not pretending any of this is easy, because it is clearly not. There is clearly an interesting balance to be struck inside the bureaucracy of government between having a knowledgeable secretariat—a knowledgeable set of bureaucrats inside the department—and the use of external consultants. The balance there has to be got right, and I will say little bit more about that in a few moments.

I do not think this government had the capacity inside government, and I do not think the digital services aspect in Victoria has been remotely up to where best practice is around the world. When you look across the jurisdictions in Australia, I think you are naturally drawn to the capacity of New South Wales and the service app in New South Wales, with the interface across the whole of government and the interface into parts of the community. I think that is a role model for us where we can see a better way forward and where Victoria, to be frank, has not kept pace. Now, there are lots of reasons for that, and I do not put all of those at the feet of the current government, although I do note the failure of the Labor governments over the last two decades to come forward properly with IT proposals and mechanisms. You only need to look at the period between 2007 and 2010, when the current Premier was health minister; he got himself in all sorts of trouble with digital matters. The HealthSMART system was an absolute fiasco in our hospital system, and there were issues of data transparency and protection of data.

**Ms Shing:** Back to the bill.

**Mr DAVIS:** No, this is about the bill. This is actually about the data, and it is actually about the implementation of IT systems and the data protections that go around them. IT systems are often open to manipulation, and in that case we saw examples of that, Ms Shing. If you would like me to go down memory lane there, I could do so in great detail, with the FOIs that we had about the now Premier's failure to implement the HealthSMART system.

**Ms Shing:** Again, come on. Go to the bill.

**Mr DAVIS:** Well, no, it is entirely reasonable to talk about the implementation of data systems and IT systems across government. The general point I was making, as you well know, is that governments have a very spotty record when it comes to introducing complex IT systems and complex data systems. Some of the most complex are those that have these consumer interfaces, which our digital services economy demands increasingly and in which Victoria has actually lagged. I think it is worth putting on record some of the commentary about New South Wales.

Again, we welcome some of the steps in this bill. We are not opposing the bill; we are actually saying that there are useful steps in it. We do have some reservations, and I will come to those in a minute. But the point I would make here is that the work of Victor Dominello in New South Wales initially as Minister for Customer Service and as Minister for Digital I think is the lead example in the country. He said the current and former premiers gave him the licence to conduct major reform—'You had me at data, Victor'. That was premiers Baird and Berejiklian, and I think the same is true of Dominic Perrottet regarding the focus that has come from those three premiers in supporting Victor Dominello

in his steps to bring New South Wales data systems into the lead in the 21st century. His particular focus: pre the pandemic, 100 000 people used the Service NSW account; today the app has over 6.5 million regular users. The digital drivers licence was launched in 2016 with what the minister called a garden customer matter—that is an interesting point. I have lost a sentence here, but he went through the steps that he took. I sourced this article from the *Australian* on 28 October 2021. He read the feedback comments, and he actually understood the strengths of some of these apps and the usage of the system and was able to make the changes and refine the system to bring it to a point where it was able to deliver for the community in New South Wales. Now, Victoria did catch up on some of this, but we were quite a way behind.

It is actually interesting to make the point here on cybersecurity. New South Wales again I think is in the lead. He also looks at these digital techniques as ways of strengthening the ability to look at sovereign procurement and build capacity in that way, so there is a series of uses to which these can be put. You know, the opposition is very focused on what we can do as a community to recover and rebuild. That is the document we launched just a week or so ago, and we are looking at how we can position the state. There was a series of very practical, thoughtful suggestions in our program, in our plan, to look at some of that procurement and to look at how we can actually build forward. That is where we have got to go.

Now, I know New South Wales has looked at a Digital Restart Fund and I think that this was a clever way to go. They have put more and more services online, and I think most of us recognise the strength of those points of putting things online. Again to pick up some examples: the Park'nPay approach—not only the QR codes—and the liquor licensing portal in New South Wales. I have had this demonstrated to me. I have had people from New South Wales show me the management of these licensing systems—the simple renewal-of-licence approaches that have been operating there—as well as some of the dining and other applications that have been put in place. We want to rebuild and recover. We have got to do that by clever techniques. We have talked about manufacturing, we have talked about a number of other key steps going forward, but these digital economy approaches are a very significant part of it.

I make the point that Mr Dominello has again been the one who has been prepared to innovate and to use the capacity inside the government department. Again I come back to the point I made before about having capacity within government departments so that you can maximise the use of your consultancy support and not be totally reliant on consultants, who will often see a government department or a minister coming and will be able to make significant money out of them but not necessarily deliver what is needed in the community interest. I think that point of balancing internal capacity inside a department and the role of external consultants is particularly important in this area of the digital economy.

I want to just lay out some of the concerns though that the opposition has. To deliver certain circumstances, there are instances where the creation of a Service Victoria account is necessary. It is worth noting that an account does not have to be digitally created on every occasion. That may be the best way at most times, but we need to look at each one on its own point. There needs to be a focus on consent and supporting digital access. There also needs to be a focus on privacy too, and I do not want in any way to accuse the government of doing the wrong thing here, but I actually think there has got to be privacy at the heart of these approaches because it actually builds confidence in the use of these digital systems. That privacy needs to be absolutely front and centre, and I do not think that that has always been the case. I do not think that people have had the confidence there.

I do want to say one other thing. There is a section of the community, and I think mainly older people, who for whatever reason are unable or unwilling to engage with the digital economy. I was talking to a group of older people just recently at a Probus group, and there was a real divide in that group between those who were very much adopters of digital technology and those who were not. There is a group who are not, and we have to find a way to make sure that they are not outright and frankly disadvantaged. This is actually an issue of equity. We need to make sure that they are not really left

behind. I do not absolve the commonwealth of responsibility here, and I can point to some terrible examples where people have not been able to get commonwealth services because they have not been able to engage digitally. That has not been their fault; ultimately it has been the fault of an agency that has not been prepared to be flexible enough to assist people, and we have had a bit of that even at a state level through the COVID period. The task is to be service orientated, and as more and more options migrate to the digital world we need to make sure that there is assistance to people to access them. You know, you still need in my view proper access by phone, because people sometimes need to be talked through how to access things. I suspect we have all had that thing where you are trying to do something digitally and you get to a block point and you just simply do not know how to get beyond it. But for older people, they sometimes get to that point and they give up, and thereby what is increasingly happening is they are being denied services, they are being denied pensions, they are being denied financial and other support, and that is not the right way forward. So I am all for pushing this economy forward.

**A member** interjected.

**Mr DAVIS:** No, no, this is actually a serious point, and if we think carefully amongst the people that we know—family members and broader community members—there are people that we know who are like that and who will not get access to services unless there is a more old-fashioned mechanism to enable them to access those services. It is a bit more complex, and there has got to be a dual-track approach so that people are not left behind and disadvantaged. This is actually, as I say, a matter of basic equity, and we have got to be very careful with those points.

But I do want to return to my central point. There are learnings out of this period under COVID, and there is an opportunity for us as a community to expand our digital approaches further. This bill does provide some opportunities to do that. To the extent that it does that we support it. I have laid out my concerns and things that need to be addressed. I think that that is legitimate. But I think it is also important to realise that when we look at other examples around the country and around the world Victoria is not a shining example of a digital paradise where most things can happen online seamlessly. In fact we have to our north in New South Wales a far more advanced model which we should be prepared to learn from, and I think that that is the salient point out of this section of the economy that is going to become increasingly important as we go forward.

**Ms SHING** (Eastern Victoria) (15:44): There is a lot in this bill that I want to cover today, but before doing that I would quite like to go to a number of the points which Mr Davis has raised in his contribution, a number of which—and this will surprise punters—I actually do not disagree with. What he has done is identify a number of themes and indeed blockages in accessing outcomes as part of a contemporary society and as part of a society which is increasingly reliant upon digital transactions in order to access services, in order to access outcomes and in order to gain efficient, swift and consistent outcomes as far as participation is concerned—everything from accessing a working with children check to getting a fishing licence to uploading a vaccination certificate. We do need to be therefore mindful of the challenges we face in improving and addressing issues of equity and issues of remedial assistance to make sure that we have twin streams of access as part of our transformation to a digital economy.

To that end I thank Mr Davis for identifying this in the course of his contribution, because what he has done is he has given me an opportunity to talk to a number of the areas where Service Victoria has indeed been exceptionally agile and incredibly dexterous in the way in which it has partnered with other parts of government and service providers to make sure that wherever possible people who need access to those services—unlike the examples which Mr Davis referred to on welfare and commonwealth interfaces to access minimum payments—in a Victorian sense are able to do that when and as they need, particularly for people who are perhaps not technologically literate or who do not have the means to have the necessary contracts or access to accounts in order to transact in the way that others do. That work does go on, and that is in fact part of the digital strategy which we are working on in earnest within this government to effect a range of changes; to make sure that there is the

appropriate level of engagement, consultation and indeed funding; and to make sure that we are also in the course of that work mindful of privacy protection principles, mindful of the way in which we become ever more sophisticated in linking and relying upon data to transact our daily lives and in making sure that we are also in the best possible position to manage, to fend off and to minimise challenges associated, for example, with the pandemic and recovery—for example, the way in which digital tokens operate—and to make sure that we are in a position to continue to evolve and to break down barriers associated with other jurisdictions where different platforms may be in play.

Mr Davis has made a fair degree of I would say confected outrage—but he probably would disagree with me on the use of that descriptor—around the work that New South Wales has done as compared with Victoria. And I want to just place on the record my thanks to all at Service Victoria who have worked so hard—and my thanks to all at Digital Victoria within the Department of Premier and Cabinet and across government—to make sure, for example, that vaccination certificates were available weeks ahead of New South Wales or indeed the commonwealth here in Victoria, that digital identities were able to be accessed and uploaded as a matter of urgency and also that privacy protection principles as they relate to the collection, management and non-retention of data were managed.

I think there is a fair bit of misinformation in what Mr Davis has said in that regard that I just want to make sure does not sit untested in *Hansard*, simply because there is a lot of work going on to make sure not only that we are mindful of the challenges and minefields associated with digital information and the exchange of data as part of transacting, verifying and acquitting obligations as government but also that we are in a position to do so in an economically responsible way, in a way which addresses challenges associated with procurement and also in a way which delivers the best possible set of outcomes for the most number of people here in Victoria at any given time.

Cybersecurity, as Mr Davis has pointed out, is another area of significant interest to this government. As Parliamentary Secretary for Government Services it has been a privilege to be part of the cybersecurity work that is taking place under Minister Pearson alongside the digital strategy work overall, which is intended to make sure that Victoria can invest in and take advantage of the leaps and bounds of the digital economy here in Victoria to create job opportunities, including through the Digital Jobs fund. Mr Davis would be aware that the \$60 million which he unfortunately failed to mention in his contribution earlier but which stands on the record as our commitment to making sure that the digital and electronic space as far as AI, machine learning and indeed digital transactions are concerned is something that we prioritise as part of economic development and jobs growth over time. This has a very natural place alongside making sure that within the public service we are taking active account of the way in which government transacts not just with citizens in the way in which they provide their data and information on the one hand but with others who may receive that information and government as it may transact that information internally.

Mr Davis would be aware, as many millions of Victorians would be aware, of the sheer depth of the Service Victoria app and the way in which that operates. I do not intend to go into COVID check-ins today, because they do not form strictly part of the remit of this bill, but what I do want to note is the extraordinary capacity of this system to hold up under extreme pressure. Unlike the delays that we saw in New South Wales and in the commonwealth as they related to the upload of vaccination certificates, we have been able to continue with a plethora of different access points and opportunities for digital verification, for use of accounts and for transactions which, as I mentioned earlier, sit alongside practical opportunities for people without access to digital devices or accounts to be able to, for example, in the situation of a fishing licence, head along to Kmart to get that licence or indeed, as it relates to an NDIS process, to be able to access that through offline physical and in-person opportunities. So it is a combination of different factors that brings us here to this bill today, and there are a number of things which I want to perhaps delve into a little bit more deeply with the time that I have available to me.

It is really a tale of the evolution of two systems that I want to draw people's attention to at the moment. I do not know whether people will remember, because there are certain amongst us who have done

their utmost to make sure that we forget, that there was a COVIDSafe app back in the dim, distant mists of time. It was about \$9 million or \$10 million, and it was funded by the current federal government. It was intended to assist people with a swift complement to contact-tracing efforts. What we saw in reality was that this system failed to make a dent, failed to actually gain any traction and uptake, failed to generate any form of social licence and failed therefore to have any practical use for the \$9 million or \$10 million of taxpayers funding that went into that program. Now, if ever there was an example of consultants fees going to waste because the brief was not properly issued, that is it. It is unfortunate that in his contribution Mr Davis did not refer to that as being the horror story associated with what not to do.

What we have seen in contradistinction to the COVIDSafe app and to that failed effort to connect people with digital technology to improve public safety is the Service Vic app and the way in which we worked to deliver QR codes, border permits, travel vouchers, outdoor economy vouchers, check-ins and more. When there were vouchers issued, over a 5-minute period 10 000 transactions took place, and millions of border permits were issued through this capacity and the Service Victoria app as well. The way in which we also rose to the challenge through Digital Victoria and through the team that works at the heart of delivering these reforms to make sure that we could go live with functionality to add the COVID-19 vaccination certificates to the app put us well ahead of other jurisdictions. Mr Davis has talked extensively about Minister Dominello in the New South Wales government, who also has a really demonstrated passion and a desire to make sure that at a state level people in New South Wales have access to good data, good information and good opportunities for consistent outcomes.

What a shame, however, that we in the states have been let down time and time again by a commonwealth refusal to get on board with the importance of harmonising different systems, making sure that they can in fact talk to each other, minimising the delays and downtime associated with that and working to make sure, for example, that the Australian immunisation register is in fact complementary with the way in which vaccination certificates operate at a state level. We saw shambolic efforts from the commonwealth as it related to international arrivals and to no capacity or indeed appetite from federal authorities to check certificates, which were in fact made available at the point of sale but not then followed up following arrival. We have seen multiple bureaucratic bumbles at different levels of government which have been to the detriment of people arriving in Australia and of people seeking to access various outcomes or indeed services or offerings within the national jurisdiction.

What we have done here, however, is to make sure that check-in and vaccination status were combined within the Service Vic app, such that if you go into a restaurant now or indeed you have at any other point in time and you are amongst the 95 per cent of Victorians whose vaccinations are up-to-date, you can in fact simply be asked to show your little green tick on the Service Vic app and then you are good to go. It sounds simple. It sounds as though it is a really straightforward process, and indeed at a user interface level it is. But what we should not and indeed cannot ignore is the amount of work that has gone on behind the scenes on all of the questions associated with data protection, with privacy, with ease-of-use and with consistency of operation across the various platforms to make sure that Service Victoria's reach, whilst it increases, remains consistent in its quality.

So we want to make sure in the delivery of services as our digital transformation continues and as we roll out the digital strategy and work towards better awareness of cybersecurity, including on the important points of data ethics and the way in which we define how data is gathered, managed and not retained, that we are continuing with consultation across the board. These things do not happen in isolation. We know, for example, that the robodebt situation, where algorithms were developed without any pinch points to enable human interface with decisions on alleged Centrelink debts, had the most tragic of outcomes, the most tragic of consequences, and it is precisely this worst-case scenario which this bill is working towards not just avoiding but preventing.

I would like to thank those stakeholders who have been frank and fearless in the process of their feedback and the way in which we have considered privacy and legal consequences for the passing of this particular bill. That includes government departments; Victoria Police, and key partner service agencies of Service Victoria, so that is VicRoads, births, deaths and marriages, the Victorian Fisheries Authority, the Victorian information commissioner, the health complaints commissioner, the Victorian Equal Opportunity and Human Rights Commission, the commonwealth Digital Transformation Agency and Department of Home Affairs, and privacy and legal sector stakeholders, which have variously included the law institute, the privacy foundation, as well as Electronic Frontiers Australia and Privacy Australia.

So these significant gains in efficiency and in the integrity of information as it is gathered and as it is used to effect better public outcomes are part of the way in which we are seeking to enhance and to build upon the passage of the Service Victoria Act and the commencement of Service Vic as part of a really significant suite of reforms in the digital economy. We have got a long way to go, but having said that we have made leaps and bounds that are putting us well ahead of other jurisdictions and providing us with an opportunity to share what we have developed in a way that means that we can encourage and facilitate and indeed deliver the best possible outcomes for all Victorians in a variety of different ways that make a fundamental difference to the way in which their lives are as streamlined, as efficiently lived and supported as possible and, at the very heart of it all, driven by a sense of equity, of fairness and of opportunity. On that basis, I commend the bill to the house.

**Sitting suspended 3.59 pm until 4.18 pm.**

**Mr BARTON** (Eastern Metropolitan) (16:18): I rise to speak on the Service Victoria Amendment Bill 2021. This is a pretty straightforward bill, and I will be supporting it today. I wonder how many people realise the number of services Victorians can access on the Service Victoria app. Of course we all use it for checking in, but you can also apply for a fishing licence, a working with children check and other similar services. I would like to see a bit more advertising about the services available on the app, as my impression after speaking with people is that these services go largely unnoticed.

This bill will enable the Service Victoria app to offer even more government services, making it a one-stop shop for all your bureaucratic needs, eventually. Of course, I hope that this bill can lead to greater efficiencies in our lives. One thing Victoria has been behind on is a digital identity framework. For instance, in New South Wales licences and identifications can be stored on phones, while we continue to have a physical card we must take with us. With any changes it is important that the physical identity card remains easily available for those who may feel less comfortable with the new technology. It is my understanding that Victoria Police have the capabilities to check digital licensing but VicRoads does not.

In the commercial passenger vehicle industry we also seem plagued with both duplications and inconsistencies. For example, our driver accreditation and vehicle accreditation processes require that we go to both VicRoads and Commercial Passenger Vehicles Victoria, which is a time-consuming, unnecessary process and a duplication of services. One would have thought it would be more appropriate for them to be joined together. I hope that in creating a digital identity framework we can ensure that the application process is streamlined, accessible and accepted by all government agencies. I commend this bill to the house.

**Mr MELHEM** (Western Metropolitan) (16:20): I also rise to speak on the Service Victoria Amendment Bill 2021. This is a straightforward bill that makes a number of amendments to the current legislation to make the services which are currently provided by Service Victoria a bit more up to date in order to catch up with all the technological changes we have been experiencing. It particularly goes to the importance of the role Service Victoria has played in the last two years and, more importantly, in the last 18 months with the Service Victoria app, for example, during the COVID period. I think Ms Shing was talking about Services Australia—well, she was responding to Mr Davis really, about technology and how we deal with technological changes and IT systems and so forth—but how could

we forget the infamous COVID app that failed miserably from the federal government. Millions and millions of dollars were wasted.

I just want to turn my mind to what Service Victoria has done and what this bill will do to make sure that we are able to provide services to Victorians—basically services that we require in the 21st century—and to make sure people are able to access services from the state of Victoria using an app. I am just looking at the Service Victoria app as we speak, and it started off being used for contact-tracing purposes and has now been used by millions of Victorians for COVID tracing and also to look at other services, like registration, for example. That is something I have started using in the last six to 12 months. It is very handy. You will be able to simply download an app. I want to commend the government for putting this together and Minister Pearson as the Minister for Government Services for coordinating all this effort. It has been a lot of work. A lot of people were a bit nervous about how it was going to work and what sorts of bugs we were going to have with the system—‘Is it going to fail on the first day?’ et cetera—but with minor challenges along the way I think it is working perfectly well.

The bill will go a long way to make sure that Victorians can get on their mobile phones or whatever they use, download the app and basically access all of the services. Whether it is paying a car registration, for example, whether it is renewing a fishing licence or whether it is accessing vouchers, which we have just announced—\$100 million to assist businesses and encourage Victorians to go around the state and basically spend money and support local businesses—all of these sorts of things can be accessed through that app. There are a number of things that it actually does, and I will go through them one by one. The new changes will make Service Victoria able to provide more services and transactions to Victorians, making everyday life easier, as I said. Currently Service Victoria provides around 80 popular transactions in the same place. I named some of them earlier. You can top up your Myki. You can look at a traffic accident report. There are so many things that are now available on that app.

Another thing the bill does is allow Service Victoria to take responsibility for things that have been put in place and make sure the services are provided in a more timely and effective way. The other thing the bill does is make sure that the privacy aspect has been taken care of, so the amendments will actually strengthen privacy protection and bring more data under the standards of the act. The bill makes housekeeping sorts of amendments to current legislation to make sure we have got a good service that Victorians can access and to ensure that whatever loopholes there are in the system have been taken care of and that whatever information is collected by Service Victoria actually meets all the privacy standards. I notice other speakers want to talk about this bill. But really I would encourage everyone, if they do not have the Service Victoria app, to go and download it so that they can access all the services that app provides.

We all know how difficult and challenging the digital age can be. I know any IT project or any IT platform comes with its own challenges. Nothing is without challenges. That is why I think it is very important to make sure any legislation that is put in place tackles all these issues I talked about earlier, such as privacy issues and people being able to access all these services seamlessly. We need to put the right investment in place to make sure that we have got a state-of-the-art system and that the system can cope with demand.

I have got to say the services that are provided by Service Victoria have already proved to be very successful, I suppose to the amazement of some people. But I have full confidence in what they have delivered, which is a first-class system. One area of the Service Victoria app covers COVID testing, for example. Basically you register your rapid antigen test result using the Service Victoria app immediately and you notify the department of your test result, and a few minutes later you get a text message from a lovely nurse who is checking on you to make sure you are okay, twice a day. I had to use that service unfortunately in early January, and I received that response at 9.30 in the morning and 3.30 in the afternoon. So there are a lot of good things that are currently provided by Service Victoria, whether it is during the COVID period or the other services I talked about earlier where you can renew

your licence, check whether you have got any fines and access all sorts of services like ordering birth and marriage certificates and so forth. More and more of our services are going online. The days when you physically had to go to a department to get something done are a thing of the past. Now by simply making sure you have got the Service Victoria app you can access all these services. But I think it is important to make sure that we get it right.

Cyber attacks are another thing. We need to make sure that all the necessary amendments to the act are put in place to allow the departments and the government to put the right investment and safeguards in place to make sure that whatever information they collect from Victorians or access in the Service Victoria app is safe and cannot be hacked. It is all about making sure our digital strategy for the future in Victoria will provide better, fairer and more accessible services. The national disability insurance scheme is another thing that people will be able to access through the Service Victoria app as well.

It is a good bill and I commend it to the house. I think it is very timely, and I want to commend the government for the good work they have done in developing and putting together that package to make sure these services are accessed in a timely way by Victorians in a safe manner. With those few words, I commend the bill to the house.

**Ms TERPSTRA** (Eastern Metropolitan) (16:30): I rise to make a contribution on the Service Victoria Amendment Bill 2021. It is a critically important bill, and as Mr Melhem and others in the chamber have made contributions on this bill today, what we have come to learn and understand is that the Service Victoria app, for example, is something that has become quite a central thing for all Victorians to use in recent times, particularly for QR code checking in when we are going to venues and the like. So this bill will make some critical amendments to the Service Victoria Act 2018 in a range of ways which I will go through in a second.

It is really important that legislation like this, which will amend the main piece of legislation, can enable government departments to respond and be more agile to the needs of Victorians, and certainly having an IT platform like the app but also having things that support that app and support the efficient and effective streamlining of processes around it is obviously very important as well. Sometimes these processes can be clunky, and this amending piece of legislation is designed to make things smoother and easier for government departments to effectively operate the IT around this.

The purpose and the benefits of the bill are effectively to make these amendments to the Service Victoria Act, and principally they are to strengthen privacy protections by ensuring a larger volume of personal information is protected under the Service Victoria Act by supporting the increased use of Service Victoria's services. It is also to ensure that Service Victoria's information is more fit for purpose and better aligned with Service Victoria's obligations under the Privacy and Data Protection Act 2014, the Health Records Act 2001 and the Public Records Act 1973. It will also support the increased delivery of Service Victoria's digitised services to make government services more accessible, cost effective, timely and user friendly for all Victorians. I am going to come back to that point in a minute on 'user friendly' because there are some very important statistics about the sorts of digital services that are being offered and the satisfaction ratings. I would like to enlighten the chamber on some of those because I think they are very revealing.

The bill will also improve the efficiency of government service delivery by making it easier and quicker for Service Victoria to deliver functions to perform government services, including government services urgently required in response to the COVID-19 pandemic, and allow government to be more innovative and responsive, including in relation to national projects or initiatives and those related to recovery from the COVID-19 pandemic. It will also support the government in its ongoing modernisation and digitisation of the Victorian public sector.

So, as you can see, this bill is to enable and facilitate a more responsive response to IT and the need for Victorians to have a seamless way of accessing services. Effectively the bill will support the government response to the COVID-19 pandemic in the following ways: Service Victoria's

technology has supported COVID-19 check-ins, travel entry permits and exemption applications, metro and regional travel vouchers and vaccination certificates. This bill will make it quicker and easier for Service Victoria to deliver urgent services in response to the pandemic and in particular will streamline mechanisms for Service Victoria to perform those functions, which importantly will reduce legal complexity and the associated administrative burdens and allow a wider range of functions to be performed. It will also enable Service Victoria—and this goes to the point about data security as well—to securely store data for other agencies, which will support the faster launch of new COVID-19 response functions with less need to design systems connected to other agencies. Often what you find with other tech platforms is they do not like talking to one another, so having a seamless platform that does actually talk to and work in with other platforms is critically important as well.

Just in terms of what sorts of transactions Service Victoria has been providing to the Victorian community—this is really interesting—in preparing for this speech, I was looking at the sorts of transaction volumes, satisfaction ratings and costs per transaction that were associated with users using this app. Throughout the 2020–21 financial year Service Victoria delivered 151.3 million transactions—that is incredible—at an average cost per service of 25 cents per transaction. The top 10 transactions by volume and the respective customer satisfaction ratings I will go through now. Throughout the pandemic, QR code check-ins were something that all Victorians knew they needed to do, and we thank the multitude of Victorian businesses and other operators who assisted us in adopting the tech so that Victorians could check in when they were going into venues, because of course that aided our contact-tracing capacity. Throughout the pandemic in the 2020–21 year there was a volume of 146.1 million transactions, and importantly, the customer satisfaction rating for the QR code check-in was actually 96.6 per cent. It just goes to show that Victorians were satisfied with using the QR code system to check in via the Service Victoria app. So that was fantastic. Despite what might be said in the *Herald Sun* and other Murdoch rag presses, 96.6 per cent of Victorians were satisfied using the QR code check-ins.

**Mr Finn** interjected.

**Ms TERPSTRA:** It did not take you long, Mr Finn. It did not take you long, did it?

*Members interjecting.*

**The ACTING PRESIDENT (Mr Bourman):** Order! Ms Terpstra is entitled to be heard in silence, just like she heard everyone else in silence.

**Ms TERPSTRA:** It is getting very shouty in here, and I would like to remind those opposite to do me the courtesy of listening in silence.

I will go on now to talk about border permits. This was another very important function during the pandemic that many people used—3.38 million people used this technology to apply for border permits and at a satisfaction rating of 94.3 per cent. I know those opposite hate to hear those numbers, but they are incredibly high satisfaction ratings with our tech.

Among some of the other things that Victorians are using via these platforms you have got the VicRoads registration check, VicRoads registration renewal and recreational fishing licences—very important, Mr Bourman, and I know, something very close to your heart, and the satisfaction rating on that was 97 per cent. There we go. Travel voucher schemes had a satisfaction rating of 100 per cent. There we go—awesome. There is the Solar Homes program, the working with children check and many others. Overall there are approximately eight to 10 services that are listed and on average a 96 per cent customer satisfaction rating. It is important to have customer satisfaction ratings, and it goes to show that while it has been reported in the media that people are frustrated, well, clearly they are not.

The whole point to this amending legislation is to remove legal barriers as well. There are some legal complexities around the services that need to be implemented. This will no doubt allow Service

Victoria to not have to deal with those legal complexities, and it will streamline things. I have just gone through some very important services, but Service Victoria is there to actually offer services to the Victorian community. It is about providing a convenient and easy-to-use website and mobile applications which make it simpler, faster and more convenient for the public to access.

Acting President, I do not know how many apps you have on your phone, but I have got a whole load. Apps really are the way to provide quick and easy access for people to a whole range of digital platforms, digital gateways and the like. As you can see, Service Victoria does have a very high satisfaction rating, I might repeat, across eight to 10 services—an approximately 96 per cent satisfaction rating, which is absolutely amazing. That is to be commended.

I might just talk about oversight here, and there are of course some governance oversight reporting arrangements which are very important. Just for those who might be playing along at home and may not know what Service Victoria is, it is an administrative office of the Department of Premier and Cabinet. The Service Victoria CEO is employed by the Premier of Victoria and has the same functions in relation to Service Victoria that a departmental secretary has. That person also has responsibilities and functions, so of course these things are all open to scrutiny and accountability. This bill has also had passage through the Scrutiny of Acts and Regulations Committee. That is a committee that I am on and Ms Watt in this chamber is also on. We considered that bill in November 2021, and we reported to the Parliament that it did not raise any concerns in terms of the charter of human rights. That is the role of SARC, to undertake those assessments, and there were clearly no issues that arose as a result of that.

This is a timely amendment. It is very important that these things happen, again, to make sure that we can streamline and make it easier for Victorians to access any services. I might just outline again some of the issues that Service Victoria has been experiencing with the Service Victoria Act that highlight why the need for this amending legislation is so important. There has been an increasing demand for Service Victoria's unique capabilities to deliver fast, efficient, innovative and cost-effective digital government services. I have just demonstrated that as well with the range of services—just the top 10 services I outlined then—that Victorians are using. As I outlined earlier, legislative barriers in the Service Victoria Act have made it unnecessarily difficult and complex and sometimes impossible for Service Victoria to onboard new services and respond to the increasing demand from the government and the public for digital government services. This is why this legislation is important.

Service Victoria has been required to enter into cumbersome and legally complex arrangements to work around these barriers and deliver transactions that cannot always deliver services in the most efficient and innovative way. As we all know, sometimes legal complexities can take a long time to resolve in a range of ways. Despite everyone's best intentions and efforts sometimes the wheels turn incredibly slowly, so this amending legislation will facilitate these barriers being removed. As I said, these barriers were stifling Service Victoria's development and limiting Victorians' access to online government services. We know we have got the demand there. I talked before about the millions of transactions that are being conducted every day by Service Victoria, and that therefore just highlights the critical need—as I said, 151.4 million services, an incredible amount of services, during the 2020–21 financial year. It is incredible, and this just highlights why this legislation needs to amend the principal act.

The critical barriers in the Service Victoria Act are limits on the sources of services that can be delivered. Service Victoria can only perform some functions when they are set out in Victorian legislation. However, many government functions are not set out in legislation, including many of the administrative functions of government that are integral to customer service. The types of services that can be delivered—Service Victoria can only perform a limited range of functions—are, for example, customer service functions and identity verification functions. Again, these are the sorts of barriers that need to be removed—they are just a few of them. You can see there is a demonstrated need to have these barriers removed.

It is going to streamline and make it easier for Victorians to access services. As I said, renewing your registration via an app would be fantastic. I would much prefer to do those sorts of things on an app rather than going onto a website and doing stuff. You can be sitting at home on your lounge at night and doing the things that you need to do there—applying for your recreational fishing licence, for example, on the app on the mobile phone; applying for your registration or checking your registration; applying for travel voucher schemes, and I know we have just announced some new travel vouchers that are coming up, so again, being able to do that online; and of course applying for the Solar Homes program. All these things that are integral to the Andrews Labor government's policies are going to be so much easier to access. Like I said, you can be sitting at home of an evening with your cup of tea, watching the TV, and go, 'Right, I need to renew my fishing licence right now on the app'. So it is going to be great. And like I said, the satisfaction rating with that is 97 per cent.

**A member** interjected.

**Ms TERPSTRA:** It just makes your life so much easier, doesn't it? It is just amazing. And the things we can do today on a mobile phone—they are really just amazing little computers, aren't they? Again, having these sorts of apps, these technologies, is going to be fantastic. I might leave my contribution there. I am sure there are other speakers who want to talk about how amazing and fantastic and streamlined and much easier the bill is going to make it for Service Victoria to continue to deliver effective services to the Victorian community. It is going to be fantastic, so I commend this bill to the house.

**Dr CUMMING** (Western Metropolitan) (16:45): What a delight it is to actually get up after the government has spoken on this particular bill. Obviously I am rising to speak on the Service Victoria Amendment Bill 2021. If you were listening to the government, it just sounded like this is an advertisement for an app, and it might be just that. We hear the government saying that this is just going to make everyone's life so much easier, but if you have ever gone online on any of the government websites—or anything, for that matter—it is bureaucratic nonsense. It is not like one page where you just click on something and there is the page; things are absolutely buried away consistently. It is interesting to hear that the government believes there has been a 96 per cent satisfaction rate on this. Well, I can assure it that that is not what I have heard. I have heard 90 per cent non-satisfaction with the majority of the times that the community have gone online during this pandemic for any kind of government assistance and gone through any app or gone through any kind of website to find information or to fill out a form for a grant or otherwise. As well, we have heard there were times when they all crashed. Now, I do not know where the government has actually been. Or are they still not listening to the community? Clearly not.

You have mandated things. You have absolutely mandated things, and especially this government Service Victoria app. You have made people use it. You have absolutely made them, not recommended it. It was mandated. You said at the start this was for contact tracing and tracking. Now that has stopped, but you are still continuing to force people to check in. And what about the older community, the multicultural community and people who do not have the means to be able to either buy a phone or pay for wi-fi, due to the continual government lockdowns and losing businesses and money? And then there are the children of course, and most children are great at apps, as long as they can afford a phone.

I will make this brief. The bill aims to enable the Victorian public sector to deliver government services to the public that are more accessible, more adaptable, fairer, more innovative and simpler when enabling the expansion of Service Victoria's enhanced safeguards on information protection—and I say, 'Really?'. The bill will also support digital transformation in the Victorian public sector. Well, that sounds great. Apparently it is going to improve the delivery of digital services to Victorians and Victorian businesses and expand the protection for that information—they believe they are somehow going to start protecting that information—under a framework for the delivery of government services to the public. Now, the government believes that this bill achieves this by amending the Service Victoria Act 2018 to clarify and to expand the categories of the transactions and functions of Service

Victoria that the Service Victoria CEO can perform to support the delivery of government services to the public and to allow the Service Victoria CEO to deliver digital tokens.

Like I said, on the surface this sounds great. But I have major concerns with this bill and some questions that need answers. We have all used the Service Victoria app during COVID, and throughout this time I have raised issues from constituents who have been unable to access it. Western Metropolitan is one of the most diverse districts in the state: over 37 per cent of people were born overseas—people from all around the world who now call Western Metro home. Over 40 per cent of them do not speak English at home. What provision is there for the app to provide information in different languages other than English? That is my question. More than 13 per cent of those households in my electorate do not have internet access at home. What provision will be made for those who do not have online access? What provision will be made for older people who are not digitally proficient? Will they be given other options for dealing with government or getting a digital token?

Then there is the issue of privacy. And I was just watching the government laughing. Well, laugh if you may, but—

*Members interjecting.*

**Dr CUMMING:** It is a different thing; I will take that. We were all assured that our personal information that was gathered for contact tracing and tracking would be secure. Then we found out that it was not that secure at all. What assurances will the government give that the information contained in the app, especially the digital tokens, will be secure and not shared? Another question. I also believe that there is currently an option to register to use the Service Victoria app or to use it as a guest. How many people are currently using the app, and how many have registered? Another question. Before I decide if I will support this bill, I would like answers to these questions.

Now, quite simply, my community has little or no trust in this government in the way of the security of their information, their privacy. And for me there have been consistently during COVID government departments and different apps involved. To go into a hospital you do not use the Service Victoria app. The majority of the hospitals have their own specific apps, and it has been consistent. So I personally wish to tell the government: hurry up and stop check-ins and QR coding, especially as you are not using it for contact tracing or tracking, which you have told the community is the reason why they must do this; it is clear that you are not. You give a verbal contract, you give verbal assurances and then you change the goalposts all the time on the community. So I am not quite sure when this government is going to absolutely let go. Recommend, do not mandate, and allow Victorians to actually get on and live with COVID.

**Mr GEPP** (Northern Victoria) (16:52): I rise to speak on the Service Victoria Amendment Bill 2021, and of course Service Victoria is our government's central digital service agency. I just heard some of Dr Cumming's questions. I will leave that to the minister. When she summarises I am sure she will cover off some of that.

I must say, though, I did hear some of Mr Davis's contribution earlier today. He opened up with his support for the bill—'The coalition will not be opposing the bill'—and then proceeded for the next 20 minutes with hobnailed boots to give it a bit of a kicking. Wouldn't you hate to be in the trenches with that bloke? 'I've got your back, Brother. I've got your back', and you turn around and you see David Davis behind you. You would wonder what you had done, fair dinkum. They say keep your enemies close and your friends a lot closer. When he pretends to be your friend, I think never is that saying more apt.

What I would say in relation to the bill is that governments right around the world have had to be very, very nimble, particularly in the last couple of years as they have dealt with this global pandemic and introduced many, many different IT platforms both domestically and abroad as they have sought to ensure as best they possibly could that they were in a position to track this insidious virus and keep tabs on it. Of course we here in Victoria have been no different, and to that extent I want to extend my

thanks and gratitude to Service Victoria for the fantastic support that they have provided the Victorian community in what can only be described as the most unusual times that anyone here in this chamber and the three people listening have ever endured in their lives. Let us hope that when we get to the end of this pandemic, whenever that might be, none of us ever see anything quite like this again. So to the people at Service Victoria who have done so much, whether it has been through whatever the apps have been, whether it has been through their Service Vic app—I heard somebody say just before that, I think, some 3.75 million Victorians have added their vaccination certificate to their app, and that is a testament to the great work of Service Victoria—they have gone above and beyond in what can only be, as I say, described as extraordinary circumstances, and they deserve all of our thanks.

For whatever past sins that I may have, I have actually been around the public sector for the best part of three and a half or four decades now, particularly during my time in the tax office. I just remind the chamber that Mr Quilty and I are alumni of the tax office, and I do not share the same views as he does about the taxation system. Certainly I do not have a different view to the view that he now expresses that he had all those years ago. Particularly I remember in 1990 we were negotiating a thing in the tax office called the modernisation agreement, and it was considered groundbreaking. You used to walk into the tax office and there were rooms as big as this just full of paper files, and whenever somebody lodged their tax return you would have floors of people over in Collins Street here in Melbourne processing the tax returns, data processing operators keying all of this information in. Of course you can imagine back then all of the forms completed by hand, so you can imagine some of the errors that may have occurred over that journey.

So we sat down with the Hawke government at the time, and we negotiated something called the modernisation agreement, where we were taking the tax office from a paper-based organisation to what we thought was revolutionary at the time but would now be considered very arcane compared to modern technology. I give that example by way of illustration of the efforts and the lengths that the public sector goes to both here in Victoria and indeed through the commonwealth. Argue about their success, argue about whether or not some of the technologies that have been used and foisted upon the good citizens work—I think it was Ms Shing who made a contribution earlier on this matter, and she pointed to the Centrelink robodebts and how there are occasions where these things are not right and they do not prove to be the benefit that we want them to be—but nonetheless it does illustrate the public sector's intent to be, and Service Victoria to this extent is, ahead of the pack. They understood during COVID the importance of providing services to Victorians—apps, IT platforms—that were beneficial.

Of course we all remember the days—I mean, it is interesting now when an app does not work. You know, if you are on the computer—or more often than not you are on your smartphone; you are not even sitting in front of a desktop anymore, you are just sitting on your phone—goodness me, if the wheel starts spinning for 30 seconds, people are throwing their hands up in the air and saying, 'Oh, my goodness!', 'Oh, what's going on?'. And of course it was not too long ago that we were actually standing in queues waiting for transactions to occur so that we could be the next to get our business done. We can of course all relate to some of those stories, but what this is an example of is Service Victoria really extending themselves, doing everything they possibly can to provide more services and more transactions to make everyday life a whole lot easier.

In regional Victoria that is so important, because what we see in regional Victoria—and I would love the opposition to start talking about this at some point, particularly around regional Victoria—is some of the bigger organisations, some of the iconic organisations, in regional towns fleeing those towns, such as banks, for example. Now, I note that when there is a branch closure in Melbourne, suddenly it is all over *A Current Affair* and all of these news programs. But of course you go to regional towns and you see this more and more and more and more and more, where what you have is banking agents—maybe through Australia Post if there is one. So these sorts of services, because people live so far from the human services that are sometimes provided by the public sector, become more and more necessary for our regional Victorians, and none more so, as I say, than in my electorate of

Northern Victoria Region. It is so important for people in regional Victoria to be able to access all of the services that somebody in metropolitan Melbourne is able to. These sorts of platforms—these apps, these services—allow Victorians, regardless of the postcode and regardless of where they live, to be able to access those services, making their everyday life so much easier.

We know that Service Victoria has been working in partnership through the development of this with local councils with the express intent to remove red tape and deliver streamlined service processes around things like, for example, Solar Homes, solar business rebates and renewables. It is commendable that Service Victoria, in my view—and I have been around, as I say, the public sector for a long, long time—are leading the way. They are leading the way, they are out there, they are completely service focused, they are customer focused, they are citizen focused and they want to get this right for the citizens of Victoria.

Impressively—I heard somebody else say this in the debate earlier; I cannot recall exactly who it was—Service Victoria has a 96.6 per cent overall customer satisfaction score, and the most often used word to describe Service Victoria has been ‘easy’. Now, you do not often hear that, particularly in the times that we have endured over the last couple of years. So congratulations to Service Victoria for achieving those results. I know that the 3.4 per cent who have not given that positive rating will burn in the bellies of the people at Service Victoria, and they will be striving to close that gap. There are many, many businesses, particularly in services, that if they got a satisfaction rating of 96.5 per cent would be absolutely cock-a-hoop.

There are a couple of other things that the bill does, and I will just briefly touch on those. The bill will also allow Service Victoria to provide services and transactions in a more timely and effective way. That means that Service Vic can use their time more effectively to deliver for Victorians rather than spending their time working out complex legal arrangements with departments and other agencies. People have talked previously in this debate about that intersection between the various departments and agencies and how that works.

Thirdly, this bill will strengthen the privacy protections and bring more data under the standards of the act. I remember speaking at an ALP national conference—I think a decade ago or probably more—about the issue of data privacy and how I was working then for the mighty Finance Sector Union doing their policy and infrastructure work. We realised the danger to citizens with the lack of cybersecurity and the prevalence of privacy breaches and how it is so very necessary for states and for nations to really work collaboratively to get that, because we know that this is big business for crooks and we need our citizens here in Victoria to have the confidence in the systems and that we are providing the best protections that we can possibly provide at any moment in time so that when they are using our platforms—to the best that we can offer—the privacy of those individuals is maintained.

I am going to leave my contribution there. We could easily keep talking about this for a long time, I think, because it is a very, very important subject. I do want to commend the minister and I do want to commend this bill to the house.

**Ms TAYLOR** (Southern Metropolitan) (17:06): It is a great pleasure to speak on this very important bill. I just want to pick up on some of the matters that were raised in the chamber. That is the whole point of having a rigorous debate—that we can speak to some of the concerns that are raised and address them, here and now—so I hope that we can overcome some of the concerns that have been raised. Sometimes there is a fine line. I might just put in a little qualifier. Some things are genuine concerns and others are just little elements or inferences that are lobbed across the chamber in the hope that no-one will pick them up. But rest assured we are listening, and I am more than happy to address all the matters—or a number of the matters, the most significant matters—that were raised today.

One clarification that I think is really, really important in this debate is that this is about Service Victoria and not everything online. Just going back a little bit to some of the discussion which was undertaken by Dr Cumming—she might have been a little bit concerned about matters which are not

actually what we are transacting today—I would really like to be able to overcome some of those concerns and make sure that she feels very comfortable with the bill at hand. This bill is also not about QR code check-ins. I hope that can allay some of her concerns as well.

We established Digital Victoria to accelerate digital transformation, and if we look at it through that lens then I think everyone can perhaps have a clearer perception of what the bill is designed to achieve, or the various amendments, and then perhaps feel more comfortable with the direction we are headed today. So I hope that overcomes some of the concerns that were raised in that regard.

In terms of looking at accessibility, this is a matter very close to our hearts, and I would like to think it was raised with some sort of genuine concern. I am not sure, but either way I am happy to speak to some of those issues as well. What has been found is that internet access and digital literacy are increasing, and I think that is probably well known. I know even within my own family there are some people who are not as amenable but others who are right there. I do not think we should necessarily be prescriptive about age because, I tell you what, I know some people who are in their latter stages of life and are absolutely going for it in terms of social media and other outlets that we have available to us.

In May 2021, for instance, the Australian Communications and Media Authority found that 93 per cent of older people, over 65, had internet access in their home at June 2020—up from 68 per cent in 2017. That actually gives me some reassurance as well, knowing that so many people are becoming so much more comfortable and are able to more easily access online services. So it is not actually accurate to suggest that older Victorians do not use technology or cannot, because the stats simply do not bear out that assertion. It was once correct, but we can see that this assertion is rapidly evaporating in terms of being valid, because the stats suggest otherwise.

Now, in terms of how we compare to New South Wales it would take probably a good hour or two for me to go in depth in sort of comparing the two. I was not necessarily going to go to that issue today, but it was raised by Mr Davis, so I feel it is incumbent upon me to just raise a couple of aspects of his concerns and the inferences that he was trying to suggest—that somehow Victoria was behind New South Wales. If I can just put it out there, for instance, the Service Victoria Act 2018—so we are not even looking at the amendment we are currently dealing with—is the legislative framework for verifying identity and creating what we have: a legislative framework for verifying identity and creating re-usable verified identities. I hope that makes sense. It did when I got to the end of it. It is a little bit of a circular argument, but we are getting there. By comparison—okay, stay with me—there is the Service NSW (One-stop Access to Government Services) Act 2013. I just want to offer a comparison, because if we are going to lob little grenades out there, we might just catch them and put some caveats and qualifications on them. That is exactly what I am doing here. For instance, Service NSW has no legislated identity verification code. So when we are talking about matters of privacy, we need to be really, really precise. I think it is important not to just make suggestions and inferences without backing them up with facts. That is what I am seeking to do here today rather than just lobbing little grenades and hoping we do not pick up on the negative inferences. We really want to deal with facts when we are dealing with such highly sophisticated technology and what this actually means for fellow Victorians.

If we look a little further when it comes to some of the privacy protections, if we are looking at Service NSW—and I must point out I am not actually critical of Service NSW. As I was saying from the outset, I did not necessarily want to go there. I did not feel it was necessary. We are really just transacting the bill here for Victorians proper and speaking to the critical elements. However, the door was opened, so I feel that I do need to make sure that we have a factual debate on this issue. For instance, when we are looking at Service NSW, there is no specific limitation on collecting information for the purpose of performing customer service functions. That is not a criticism; I am just stating factually what the case is.

We could look at Service Victoria, but let us go to the Service Victoria proposed amendments to just take it a little further. There are minor changes to the minimum standards that limit collection of certain types of information—customer service information can only be collected where necessary to perform any functions under the Service Victoria Act, section 22, subsection (1)—when amended by the bill. You can already see there the rigour that is applied under Service Victoria in Victoria, so to speak. Account information can only be collected where necessary to perform any functions under the Service Victoria Act and where the individual who the account belongs to consents—when amended by the bill. And, finally, identity information can only be collected where necessary to perform an identity verification function under the Service Victoria Act and where the individual who the information relates to consents—that is, section 45 when amended by the bill. I hope that goes some way to overcoming some of the interesting assertions that have been made by Mr Davis. I feel that he took a little bit of poetic licence, and I am just trying to add—

**Mr Finn:** He'd never do that.

**Ms TAYLOR:** Who knew! Never! No, but I did feel he was gilding the lily a little bit, and I felt like we should just pull it back to the actual factual circumstances.

Now, some other inferences that Mr Davis did make were in terms of the speed at which we have been able to transform digitally, so to speak. Can I give an example? I think actually Ms Shing did speak to this earlier: Service Victoria, for instance, has helped as we were emerging from the deepest restrictions by being the first jurisdiction to offer vaccination certificates in its app. How about that? But if you had actually listened to Mr Davis, you would have thought otherwise. I thought that we should make it very clear that we were the first jurisdiction to offer vaccination certificates in our app. I am glad that we have got that on the table and we have cleared that up, and I hope that allays concerns but also gives our fellow Victorians confidence in the system that we have set up here today.

Now, there was discussion about older Victorians and their capacity with digital technology. We do know that digital technology is not for everyone, and that is why Service Victoria work with their partners to provide offline channels which let people complete their application, prove their identity and make a payment if necessary by using a paper-based application. So just to allay some of the concerns that were raised there—whilst there has been, obviously, very significant and rapid adoption by many Victorians, and none the least those over 65—we do still have the backup, we still do have the allowance for those who are still more comfortable with a paper-based mechanism, so I hope that that also gives some comfort as well.

And on a further point, the app language—because there was some discussion before about people of non-English-speaking backgrounds—I am glad that that has been raised because I am very happy to speak to that issue. It is certainly a matter that is very close to our government, and we are very determined to overcome any barriers that may inhibit a person being able to access services they need. The app language is written to be accessible and inclusive. Research shows that by writing things simply, people with non-English-speaking backgrounds can use the app. Further, digital tokens are saved on the device. For example, the digital COVID certificate is not saved by Service Victoria. So I hope that also goes some way to alleviating some of the concerns that were raised about the accessibility of online platforms within the context of the bill that we are transacting here today—and of course we are not, as I stated from the outset, talking about all online services and accessibility. We very much need to adhere to the ambit of the bill that we are transacting here today.

Finally, when we are looking at equity and accessibility, the other matter that I think is relevant is which stakeholders have been consulted. You have got all Victorian government departments; Victoria Police; key partner service agencies of Service Victoria; VicRoads; the Victorian Registry of Births, Deaths and Marriages; the Victorian Fisheries Authority; the Office of the Victorian Information Commissioner; the health complaints commissioner; and the Victorian Equal Opportunity and Human Rights Commission. So when we are talking about equity I would like to give assurance to the chamber that certainly there has been a very thorough investigation to get real feedback on how

the actual experience of this kind of technology is for fellow Victorians—the commonwealth’s Digital Transformation Agency; the commonwealth’s Department of Home Affairs; and privacy and legal sector stakeholders, including the Law Institute of Victoria, the Australian Privacy Foundation, Electronic Frontiers Australia and Privacy Australia. Whilst that might have been slightly laborious, me reading out those various stakeholders, there is method in my madness, and that is to give weight to but also to reassure the chamber that with all those so-to-speak objective eyes on this legislation we know and we have confidence that we are on the right track and that the amendments are appropriate and are actually going to be supporting the best possible outcomes and accessibility for Victorians.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (17:19): I move, by leave:

That the bill be now read a third time.

**Motion agreed to.**

**Read third time.**

**The ACTING PRESIDENT (Mr Gepp)**: Pursuant to standing order 14.27, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the bill without amendment.

**Committees**

**INTEGRITY AND OVERSIGHT COMMITTEE**

*Membership*

**The PRESIDENT** (17:21): I advise the house that I have received a letter from Ms Jill Hennessy, the member for Altona in the other place, resigning from the Integrity and Oversight Committee, effective from Tuesday, 22 February 2022.

**Questions without notice and ministers statements**

**WRITTEN RESPONSES**

**The PRESIDENT** (17:21): Ms Crozier this afternoon asked me to review her first question and supplementary. I have looked at *Hansard* and studied both the question and the supplementary. I believe the minister did not give an answer, so I ask the minister to respond to both—two days.

**Adjournment**

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (17:22): I move:

That the house do now adjourn.

**SOLAR HOMES PROGRAM**

**Mr ONDARCHIE** (Northern Metropolitan) (17:22): (1742) My adjournment matter this evening is for the Minister for Solar Homes, and the action that I seek is for the minister to review the system for authorising completed solar installations and in turn approve the rebates to solar retailers a lot more quickly. The member for Benambra, Bill Tilley, has highlighted this matter, and it happens right across the state. For solar panel retailers in the north-east, Bill tells me, there is a lack of licensed electrical

inspectors that results in a six- to eight-week bottleneck for approvals of installations. These approvals are the catalyst for the release of rebates, and they say, once approved, the payment then can take up to another three weeks. That is close to a three-month hole in their cash flow, and, through Bill, inquiries have found that we are talking about anywhere from \$250 000 to half a million dollars, depending on the size of the business.

The reason provided for this situation is the increased demand placed on inspectors. Where once they could complete up to four inspections a day, increased red tape and the physical demands of those requirements mean they are lucky to do two of them. Anecdotally it appears that many of these inspectors have simply walked away. In March last year the Labor government did a push to attract more inspectors, but the evidence on the ground suggests that campaign has been a massive fail.

The businesses in Benambra and across the cross-border towns are blessed with having to work in New South Wales as well. The cash flow from that state's rebate system is the thing that is keeping them afloat at the moment. They have no such delays in accessing the New South Wales rebates as they do here in Victoria. In New South Wales an electrician completing the work signs off on the certificate of electrical safety, and that approves the release of the rebate. An inspector delivers the final approval sometime later and can impose penalties and further action, but that does not hold up the release of the rebate. The rebate there is paid in a matter of days. It seems such a simple fix for Victoria. It also highlights the importance of considering regulatory frameworks and legislation for cross-border communities that straddle jurisdictions. Sometimes other states might just have better ideas and better systems than Victoria, and the minister could do well to adopt those systems.

We are not disputing the merit of the inspections. Safety and quality are important considerations, but if we are genuine about advancing the cause of renewable energy, then we should be facilitating installations and not making it harder for businesses to survive. We thank the member for Benambra, Bill Tilley. Please, Minister, fix this quickly so these businesses can survive.

### 1080 POISON

**Mr MEDDICK** (Western Victoria) (17:25): (1743) My adjournment matter this evening is for the Minister for Energy, Environment and Climate Change, and the action I seek is a commitment to phase out the use of 1080 poison in Victoria. This is no wild or baseless request. It is one based on science, on economic argument and, most particularly, on animal cruelty grounds. It is also vitally important to the survival of our apex native land predator, the dingo.

The phase-out was a key recommendation of the Environment and Planning Committee's inquiry into ecosystem decline in Victoria. The inquiry heard from a vast array of experts and scientists on this subject, including Dr Kylie Cairns, Professor Ernest Healy and Dr Mel Browning, amongst a host of others. All agreed it was imperative to ecosystem recovery that this outrageously cruel poison, banned in almost every country around the world, including all but a few states in the US, where it was marketed from, be removed from any introduced species control program because of its inherent cruelty and because it kills all species, including swathes that are non-targeted, including many companion animals. This includes endangered species. To quote recommendation 7:

This should occur in conjunction with increased government support for the research and wider use of more effective and humane methods ...

And again:

This phase-out should begin in July 2022, beginning in national parks in the first year. It should then be expanded into agricultural and other applications in the second year and be completed by December 2023.

Will the minister take up and implement recommendation 7 and commit to the phase-out of a chemical that is still listed in this country as one of terrorist concern, given its original purpose was as a chemical warfare weapon, and let our native species and companion animals breathe a sigh of relief?

**FAMILY VIOLENCE SERVICES**

**Dr CUMMING** (Western Metropolitan) (17:27): (1744) My adjournment matter is for the Minister for Prevention of Family Violence in the other place, and the action that I seek is for the funding model for family violence providers to be reviewed. Last week I met with GenWest, formerly known as Women's Health West. They provide services to help victims and survivors of family violence and to support communities to be safe and healthy by running social, education and health programs for people who experience inequity. In 2021 they received nearly 13 500 family violence referrals from police alone. This has grown throughout the pandemic, and its increase is outpacing population growth in my western suburbs. GenWest supports nearly 5500 victims and survivors, but another 8000 are still wanting support.

The grant that they receive is restricted, and they experience chronic underfunding and inequity with other funding models, such as those for drugs and alcohol. They cannot respond flexibly to the changing needs of their victims and survivors. They cannot pay their staff a fair wage that reflects the complexity of the work that they have before them. They also cannot provide support and safety to victim-survivors at the time that they need it. They need greater flexibility in how they are funded. They also need a new costing model so they can actually pay their staff a fair wage. Additional funding of \$1.7 million would enable them to reach over 110 000 community members that they should be supporting.

Victoria's women's health services are collectively asking for an additional \$127 million over four years, and that would actually save Victoria apparently \$42 billion over the same period. It seems a small cost now for a very valuable and much-needed service that will also generate a considerable cost saving. In my conversations with GenWest they said they had just rebranded because they want to help male victims and survivors as well—the whole family.

**FRANKSTON RAIL LINE**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (17:29): (1745) My adjournment matter tonight is for the attention of the Minister for Transport Infrastructure. People will know the Liberals' and Nationals' long advocacy for the extension of the rail line beyond Frankston and the need to actually get better transport services on the Mornington Peninsula. The buses are hopeless—the 788—and the story there is well known, as is the failure to have sufficient transport services.

I want to pay tribute to the advocacy of Briony Hutton, who is working hard and has brought forward a number of submissions to me about this matter, making it clear that the need is there for an extension. The coalition at the last election committed money to extend to Baxter, and a joint contribution was promised by the federal government and supported, I might say, by the federal Labor Party. The only party that did not support an extension of the line beyond Frankston was state Labor under Daniel Andrews and Jacinta Allan. They were the only ones who were determined to block it, and there is no question that they are doing everything in their power to slow any progress in that direction.

It is clear that the peninsula needs an expansion of transport services. It is clear that that involves buses. It is clear that it involves an extension of rail beyond Frankston—think of Frankston Hospital, think of the Monash tertiary campus that is there that is such an important campus that needs proper transport. Those coming from further south on the peninsula need that extension of the rail line and preferably located near the major road infrastructure as well.

So it is with concern that we note the failure of Labor to move on this and note the importance of this project and note the advocacy of so many on the Mornington Peninsula. So I ask that the Minister for Transport Infrastructure visit with me and Ms Burnett-Wake and a number of local community people who are very determined to see an extension of that rail line. I think it is time that Jacinta Allan and the Premier, Daniel Andrews, had a change of heart. They have got to recognise the problems on the peninsula. They have got to recognise that these things are critical, and Labor's candidate has been nowhere to be seen for years on this matter either. He has been in hiding on this matter, as have the

Labor upper house MPs in that area as well. This is really important to the peninsula. It is important that the Minister for Transport Infrastructure has some sort of conversion experience here. She has actually got to recognise the need for improved transport on the peninsula, and I invite her to visit.

### PET REGISTRATION FEES

**Ms MAXWELL** (Northern Victoria) (17:33): (1746) My adjournment is for the Minister for Agriculture, and the action I seek is for the minister to advise me as to the proportion of funding that the state government receives from animal registration fees that goes towards education for responsible dog and cat ownership in the Campaspe shire. Under the Domestic Animals Act 1994 local councils are required to pay the Treasurer \$4.16 for every cat and dog registration each year. For Campaspe shire this equates to around \$45 000 every year that they pay to the state government.

These payments are intended to promote responsible ownership, administer the act, support animal welfare and conduct research into domestic animal management. Council workers managing domestic animals who are abandoned, surrendered or unclaimed really care about the animals in their shelters. They would love them to find their forever home, but for some the reality is that it never happens. This is a sad fate for the animals, but it is also an enormous burden on our councils to find them homes, homes which may never come, and meanwhile keep them fed, watered, healthy, exercised and given love and attention. Campaspe shire spends anywhere from \$800 000 to \$1 million every year of ratepayer funds on their operation, and they are basically at capacity all the time. They certainly need to expand in order to meet demand, and this will cost \$525 000 in capital works for their cat facility to remain compliant.

Campaspe shire has a great foster care network in Echuca-Moama and other services in the region. I have 27 councils in my electorate, so that is a lot of expense across Northern Victoria and a lot of funds going back to the government from cat and dog registrations. I believe that there used to be a statutory period provided for councils to euthanise animals, but that has now been removed. Now, if an animal is assessed as suitable for rehoming, they must be kept until that happens. But I am told in many cases that never happens. They suggested to me that 60 days would be more than enough time to determine if an animal will find a forever home. I do not want headlines that I am saying here, 'Kill the cats', because I am not saying that at all. But I think we need to recognise the absence of reasonable time frames, which has consequences. It is not good for the animals, and it costs councils and ratepayers a lot of money.

Going back to the action I seek from this adjournment, given the rates at which pets are abandoned it is clear that many people become pet owners probably with the best of intentions but without a clear understanding of the responsibility and cost associated with pet ownership. Education is a very important prevention tool to encourage people to fully consider this responsibility before taking on a pet. I think it is incumbent on the government, having collected these funds from councils and from ratepayers, to give transparent and comprehensive feedback on the expenditure of those funds back into those local communities. I look forward to receiving this information from the minister.

### SOCIAL AND AFFORDABLE HOUSING

**Mr FINN** (Western Metropolitan) (17:36): (1747) I wish to raise a matter for the attention of the Treasurer. I have been appalled in recent days to hear reports of a planned tax that he wants to impose on first home buyers. I find this quite astonishing. Indeed I have spoken to a number of my constituents over recent days who are deeply distressed about this particular tax because, as we know, getting into your first home is not an easy thing for anyone to do. It is a challenge, and for \$15 000 or \$20 000 to be put on top of the price of a home when you are so close is just heartbreaking. In fact what it is doing is crushing the dreams of tens of thousands of people, particularly in the western suburbs. There are a lot of families in the western suburbs that are saving for their homes—they are scrimping; they are really just trying to get the money together to get into their own home—and along comes the Treasurer and along comes the Premier, who slap another \$20 000 on top of the price. What an extraordinary thing to do.

As I say, this is heartbreaking, particularly to those young couples who are seeking to get their home, young couples maybe with a kiddie or two. They are desperately keen to get their own home, and if anybody has been out the back of Werribee, down near Sunbury or anywhere in the west in recent times—anywhere between Caroline Springs or anywhere around there—you will know that the number of new homes going up is quite amazing. But what we do not need is another impost such as the one that is being proposed by the Premier and the Treasurer. This will destroy the hopes of many, many young people and many, many perhaps not-so-young people as well who are very keen to get into their own homes. I think an added tax on home ownership is disgraceful.

*Members interjecting.*

**Mr FINN:** It is scandalous, as Mrs McArthur says. And they are, as Ms Crozier says, socialists. They have run out of money, so they are coming after ours, and that is the bottom line. But why would you pick on first home buyers? Why would you do that? I mean, if you are a socialist and you want people to live in social housing and you want to be able to control them, I suppose this is what you would do. But I think it is disgraceful, and what I am asking the Treasurer to do is to get this planned tax, to rip it up, to burn it, to throw it in the bin and just forget the whole thing was ever thought of.

### COLLINGWOOD PUBLIC HOUSING ESTATE

**Dr RATNAM** (Northern Metropolitan) (17:39): (1748) My adjournment matter tonight is for the Minister for Housing, and my ask is that the minister meet with residents urgently from the Collingwood public housing estate on Wellington Street to hear and understand their concerns about the government's plans to build over their scarce open recreational space.

Over the weekend I joined public housing residents in Collingwood as they met to protest the government's plans to override the community and build private housing over the open space that they rely on for fresh air and recreation for their children. The government has announced its plans to provide more social housing in Collingwood by building 150 social and affordable homes on existing open space on this public housing estate. While we all want to see more social housing urgently to address Victoria's housing crisis, the government should not pit two social goods into competition with each other and create a false choice for the community, who know that the much-needed housing can easily be built close by elsewhere.

You do not have to go far from the site to blocks of state government owned land that are being sold to private developers for mega profits rather than being used for urgent public housing—and for this housing. Instead the government is insisting that the new homes will be located on the open space on the estate, which is currently home to a basketball court, a children's playground and trees and green space. Many of the families who live on the estate spoke to me about already living in overcrowded conditions and relying on the open space on the estate as a reprieve and an escape from their cramped homes. It is also an important recreation and community space where residents come together and enjoy fresh air and sunshine.

In fact it is a precious bit of open space in a suburb that is sorely lacking in it. Collingwood has just 0.3 per cent of open space, compared with the City of Yarra's average of 13.5 per cent. But this proposal will destroy this space by building two new apartment buildings over the open areas. To add insult to injury, the new homes will not even be the kind of public housing that Collingwood so desperately needs. There will be one apartment block of affordable housing, which are privately marketed homes that charge slightly lower than market rates; and one block of social housing, which will most likely be community housing. Meanwhile the government is essentially taking away much-loved open space and community amenities from the existing residents and handing them to developers for profit.

It is at a time like this when we truly see the contempt with which this government treats public housing residents. Residents have been campaigning to save the open space since this project was announced in June, but the government has ignored their asks and simply refused to budge on its plans. As a

landlord the government must do better, but it has been steadily turning its back on public housing, abandoning its responsibility to provide public housing as a public service and steadily shifting this over to the private sector. Even today the term ‘public housing’ has largely fallen out of use, with the government using the umbrella term of ‘social housing’ to disguise their complete neglect of our public housing. Yarra City Council and Collingwood public housing residents have pointed out that there is other publicly owned land in the area that could be more suited. I urge the minister to save the open space at the Collingwood public housing estate and work with the residents and council to find an alternative location for the 150 homes.

### STEVE MONEGHETTI TRACK

**Mrs McARTHUR** (Western Victoria) (17:42): (1749) My adjournment matter is for the Minister for Local Government and concerns the state government’s election promise to put lights around the Steve Moneghetti Track at Lake Wendouree in Ballarat. Planning approval was granted by the Ballarat council in October last year, but tomorrow night it meets again—this time to vote on a recommended tenderer. There is concern that the process to achieve the selected lighting and planning approval was seriously flawed and potentially breaches council’s obligations under the Planning and Environment Act 1987. There is also angst in relation to tomorrow night’s tender vote, given it appears the council’s own procedural guidelines have been disregarded by the council via the publication of a media release last week which publicly named the recommended tenderer. Such was the intent of the media release to promote the recommended tenderer, it was reported in the Ballarat *Courier* as a *fait accompli*.

It is my concern that the CEO’s public recommendation could be regarded as an effort to coerce Ballarat councillors into also viewing Bendigo company DeAraugo & Lea Electrical Contractors Vic Pty Ltd as the only option to consider when the Ballarat council votes on the issue. The naming of the recommended tenderer in such a way potentially enables the unsuccessful tenderers to take legal action for failure to properly consider all options. Counter to that, should the vote not proceed as recommended, then the recommended tenderer may indeed face reputational damage and also activate legal options.

Since the media release I am aware that Ballarat council officers have emailed one of the non-recommended tenderers, who questioned why they found out about their tender status via the media. Part of the email says:

... I must apologise for Council not advising you of the report recommendations, prior to the release of that information to the media.

Council has a standard process to inform all tenderers that a report is to be released which outlines Officer’s recommendations to Council and on this occasion, it is clearly evident that our processes have not been upheld.

These guidelines are found in the council’s own invitation-to-tender document. There are questions surrounding what appears to be a panicked desire by the council to get this Labor election promise through the regulatory hoops. Ballarat locals may well ask if the Labor Party member and Labor-endorsed mayor consulted with the CEO prior to last week’s release of the media statement.

The action I seek from the minister is an investigation into the conduct of the Ballarat council in relation to the tender process for these lights and whether political interference has resulted in a vote that cannot be considered fair or without coercion.

### REGIONAL RAIL

**Mr QUILTY** (Northern Victoria) (17:45): (1750) My adjournment is for the Minister for Transport Infrastructure. A few weeks ago, during the current Victorian grain harvest, a train hauling grain from the Boort grain storage terminal to the port was stopped. Because of the lack of regional rail infrastructure, because the passing loops were removed from the lines to save on capital costs, because the track work has stalled, the train was held up for 8½ hours, going nowhere.

Sometimes it physically pains me to know that this Melbourne government is making decisions about regional Victorian railway lines. It seems to me they are deliberately destroying capacity so the lines can eventually be shut down for good. The government know that there are solutions to collapsing rail infrastructure in regional Victoria, but they are either not prepared to act or else just do not understand the importance of the grain harvest to regional Victoria.

The train being held up wasted nearly two shifts just sitting still. This delay is a direct cost added to the supply chain. The government says it wants to protect the food supply chain, but it is still getting the fundamentals wrong in regional Victoria. There are options to repair the line from Inglewood to Eaglehawk to alleviate the bottleneck around Ballarat. The proposed upgrades to freight infrastructure on the Ballarat line should have been a priority, but it is in regional Victoria, so it has to wait. The government announced this work would be done but put the whole project on hold in 2019 when mismanagement sank the Murray Basin rail plan. A Victorian Auditor-General's Office report dated 18 March 2020 examined whether regional rail upgrades were improving rural freight outcomes in a timely and cost-efficient way. VAGO's conclusion: they are not. They went on to point out that the state government had delivered about half of the approved scope of the project using \$3.815 million, which was 86 per cent of the money, and then abandoned the project.

Once upon a time regional Victoria had a fantastic rail system, built mainly to haul grain to port, but we are squandering that legacy and more and more grain is going by truck. When you look at trains sitting idle for over 8 hours at a siding, it is not hard to work out why. Minister, the action I seek is for this government to finally follow through with the needed regional rail upgrades to relieve the pressure on the grain harvest in Northern Victoria. Like the Boort grain train, Victorian regional rail is sitting, waiting, going nowhere.

### MUSEUM OF VEHICLE EVOLUTION

**Ms LOVELL** (Northern Victoria) (17:47): (1751) My adjournment matter is for the Minister for Regional Development, and it concerns funding for a planned upgrade of the Shepparton Museum of Vehicle Evolution. The action that I seek is for the minister to provide a funding commitment of \$4.5 million for the expansion and upgrade of the Museum of Vehicle Evolution into a world-class tourist destination that will increase tourist visitations to the region and deliver economic benefits for the Greater Shepparton economy.

The Museum of Vehicle Evolution, better known as MOVE, began as the Shepparton Motor Museum and, after a \$6.2 million redevelopment, reopened in its present form in September last year. It is now a world-class, purpose-built museum that displays a collection of vintage motor vehicles, trucks, bicycles, vintage clothing and transport-related items. A highlight of MOVE is its celebration of iconic local businesses and families, showcasing the history of the Furphy family and many legendary local trucking families that have operated out of Shepparton over the years.

Since the redevelopment MOVE's popularity has exceeded all expectations and has become a must-see tourist destination for visitors to the Goulburn Valley. Despite the success, the MOVE board of directors wish to upgrade and expand the site to deliver an even better and more interactive and engaging experience for visitors. MOVE have plans for a \$6.793 million redevelopment to expand the floor space of the museum and deliver a 900 square metre state-of-the-art car theatre, an interactive experience with a selected vehicle, which is then retrieved and displayed, with its history presented to the visitor. The redevelopment will also upgrade the clothing display and see the installation of driving simulators, a photo booth and new heating and cooling systems to improve visitor comfort and experience.

The board of MOVE have applied for a grant of \$4.5 million from the state government through the Regional Tourism Investment Fund and plan to contribute \$2.293 million, as per the requirements of the application. An economic impact assessment of the project by Urban Enterprise has found that the completed redevelopment will result in increased visitation to MOVE of 157 147 visitors over a five-year span, with an additional visitor expenditure of \$12.8 million into the local economy over the same

period. This is an important redevelopment for MOVE and the entire Greater Shepparton economy, and I urge the minister to grant the requested funding of \$4.5 million to make it a reality. I would like to encourage every member of this chamber to come to Shepparton and to visit MOVE. It truly is a wonderful experience. And bring your families—the kids will absolutely love it.

### WOMEN'S SEXUAL AND REPRODUCTIVE HEALTH

**Ms PATTEN** (Northern Metropolitan) (17:50): (1752) My adjournment matter is for the Minister for Education, and the action I am seeking today is for the minister to establish a menstrual champions pilot program in schools. It is really quite a straightforward idea. Nominated teachers are appointed as menstrual champions for students to visit when they are having menstrual issues. The concept has been put to me by the Endo Help Foundation, which says that appointing several female teachers as menstrual coordinators or champions for students to seek out whenever they have a concern about their periods or pelvic pain would significantly reduce stigma and alleviate student anxieties. This is not a new concept. I note there is some chuckling going on in the chamber, and this is part of the problem when talking around periods. There is still a lot of stigma. There is still a lot of discomfort about the issue. I am pleased to say that I was just reading this afternoon that Her Excellency Dr Jeannette Young, the Governor of Queensland, has become a menstrual champion as well.

Now, this pilot could build on the free tampon program that is already in schools that is there to help reduce period poverty. This goes to reducing the stigma attached to periods and the fear. However, many schools are reporting a very low uptake of the free tampon program, and some teachers really suspect that this is due to stigma around menstrual issues and that it may be contributing to this low uptake, completely in co-ed schools. But now, while this program is great, it is clear that students could benefit from more support with menstrual help. This could also lead—and I think this is the most important part, that was really put to me certainly by a real champion, Kat Stanley, who has been a tireless campaigner around endometriosis—to earlier identification of medical conditions for endo. And we know that for some women it can take up to 20 years before they are diagnosed with endometriosis, so this is hopefully an early intervention.

So the action I am seeking from the Minister for Education is to trial a pilot scheme in co-ed schools in Northern Metropolitan to appoint teachers as menstrual champions so that all students know who they can turn to when they have an issue with their menstrual cycle.

### FLINDERS PIER

**Ms BURNETT-WAKE** (Eastern Victoria) (17:53): (1753) My adjournment matter is for the Minister for Ports and Freight and is in relation to the proposed demolition of the Flinders Pier. Flinders Pier is a beautiful wooden jetty propped up by timber pylons. The pier was first constructed in the 1860s just as settlers began moving to the peninsula. The pier also played a pivotal role in the establishment of communication between the mainland and Tasmania through a cable station that was built in 1869. Over the years the pier has become a much-loved asset of the Flinders and wider peninsula community. It is well used by fishermen, divers, onlookers and sailors, and no matter the weather there are always children happily jumping off the end on a weekend. The water beneath the timber is also home to the unique weedy sea dragon, which feeds off the coral below.

Minister Horne quietly put out on 21 July 2020 that the first 180 metres of the pier was planned for demolition. Members of the wider Flinders community are deeply concerned by this proposal, given that the pier holds historical value and also hosts an important marine ecosystem. I was privileged to meet with the Flinders Community Association recently to witness the beauty of this pier for myself. It is unfortunate that the government is letting a pier that holds such an environmental and historical significance rot away. Parks Victoria have said that demolition of the first 180 metres of the pier is necessary to protect public safety. They have, however, replaced the timber at the end of the pier and intend to keep that section.

The Flinders District Historical Society has lodged an application to Heritage Victoria to have the pier heritage listed. Heritage Victoria is undertaking an assessment to review whether the precinct demonstrates state-level significance. Piers in Rye, Port Welshpool, Portland and Tooradin have been allocated \$3.2 million for repairs while Flinders awaits demolition. The community has spoken loudly and clearly, with signatures amounting to over 40 000 to save this iconic pier.

**Dr Bach:** 40 000?

**Ms BURNETT-WAKE:** Yes, 40 000, that is right. Notwithstanding the awaited report from Heritage Victoria, the action I seek on behalf of the Flinders and wider community who enjoy this pier is that funding be allocated so Flinders Pier can be upgraded and restored so that generations can continue to enjoy this beautiful pier and the unique sea dragons that live below it.

### ELECTIVE SURGERY

**Ms CROZIER** (Southern Metropolitan) (17:55): (1754) My adjournment matter is for the attention of the Minister for Health, and it really goes to the issue around transparency. Over the last month or so Victoria has been in a code brown, and that has meant that thousands of Victorians have had their surgeries cancelled. They have been cancelled indefinitely, and people have no idea when they will be able to have that vital surgery. It is named elective surgery, but it is essential surgery. It is vital surgery for many people. Now, today in question time the minister was asked about the number of people on the waitlist. He could not—or would not—answer that question.

**Dr Bach:** He's hopeless.

**Ms CROZIER:** Well, Dr Bach, I find it astounding that he would not answer that question—a very legitimate question because of the impact that the bans on elective surgery have had in not only the public system but also the private system, because as we know, there are record numbers of people on the elective surgery waitlist in the public system. There were record numbers prior to COVID hitting, and now the numbers almost fill an entire MCG. Coupled with the private system waitlist, the MCG is probably overflowing. But he could not tell us those numbers. Last week at the Pandemic Declaration Accountability and Oversight Committee public hearings we were asking the CEOs from some of the largest health services in metropolitan Melbourne about their waitlists. They could tell us on the spot how many patients were on the elective surgery waitlist. So I find it just extraordinary, as I said, that the minister refuses to provide this information to the Victorian public.

The other issue that we heard about on the pandemic committee was the number of nurses that came from the private system into the public system, and we were told there were none. They did not come in and work on the wards like the government told us was going to happen. Some patients—not many—were transported out into the private system. The action I seek from the minister is to provide the number of COVID-positive patients that were transferred out of the major hospital centres into the private system—where they came from and where they went—for the period of the code brown, 19 January to 14 February.

### TIMBER INDUSTRY

**Ms BATH** (Eastern Victoria) (17:58): (1755) My adjournment matter this evening is for the Minister for Agriculture in the other place, and it relates to a substantial amount of windrow native timber that has fallen both in the Wombat State Forest and also in the Silvan state forest area. Wood flow is at an absolute pinch in this state at the moment. Through green lawfare and the accord injunctions, this government has allowed the trickle of wood to end up being a trickle. Our mills are having to stand down staff, and the volume that we need in this state is just not there.

Now, this mixed species, very good quality windrow, was knocked down last year during the storms we had—and floods in various places, but the storms took those timbers down. At the moment they are lying on the ground still in good quality. They are going to add to the fuel load if they are not removed, but they are a good source of hardwood timber. Speaking with contractors, I understand that

a number of crews could go into those two locations, Wombat and Silvan, and actually get on the tools, get harvesting and get processing that windrow timber to be utilised in our mills and at least keep that flow going. The action I seek from the minister is to release the timber that is in the Wombat State Forest and Silvan and designate it to allow those crews to get on and get our wood flow going.

#### **CHURCHILL STREET, MONT ALBERT, AVENUE OF HONOUR**

**Dr BACH** (Eastern Metropolitan) (18:00): (1756) My adjournment matter tonight is for the Minister for Transport Infrastructure, and it is concerning the government's wrongheaded and offensive plan to continue to destroy really important trees—memorial trees—in Churchill Street in Mont Albert. Last week I had the opportunity to head out to Churchill Street in Mont Albert and I met with some residents. It was planned that I meet with some residents; by chance I met with others who were there—just happened to be there—tending to the memorial trees. These are trees that I have spoken about before. Nine trees were planted back in 1965 in order to honour nine young local men who had served in World War I and lost their lives. Four of the trees were planted to honour four brothers, the Head brothers. William Head lost his life on the very first day of the Gallipoli landings, and the trees were planted on the 50th anniversary of the loss of William's life, and yet the government now, I am sorry to have to report to the house, has destroyed three of these trees and has plans to destroy the rest of them, all in order to create a so-called access point for the railway line.

Now, I disagree with the government fervently that this is the only course of action. I have consulted with not only local residents but also engineers, who tell me that there are any number of other potential access points that could be used. Of course people in my electorate and people across the state are very aware of the government's bungling of these sorts of major projects. On this project specifically of course the Labor Party promised that two stations would be retained—two stations, Surrey Hills station and Mont Albert station. Well, that promise has been broken. Lorne Parade Reserve is being destroyed. It is currently in the process of being destroyed. This is a wonderful local recreation space that was saved by the Liberal Premier Dick Hamer but also saved, I should say, by Labor Premier Joan Kirner. Now the Labor Party is destroying that reserve.

More broadly of course we have seen cost blowouts on projects such as this to the tune, would you believe it, of \$24 billion. So bungles are nothing new, but the handling of this particular project in my electorate has been particularly egregious. The concerns of local residents and the concerns of the local RSL have been entirely overridden, and now we are seeing that even a memorial avenue of trees planted to honour dead local diggers is being destroyed when there are alternatives. There are still several trees left, and the bulldozers do not have to proceed. So the action that I seek from the Minister for Transport Infrastructure is for her to urgently revise the government's plan and not destroy these incredibly important trees.

#### **CENTRE ROAD, CLARINDA, PEDESTRIAN CROSSING**

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) (18:03): (1757) The matter I raise tonight is for the attention of the Minister for Roads and Road Safety in the other place, and it relates to Centre Road in Clarinda, which last week was the site of a pedestrian accident where a child from Clarinda Primary School was hit by a car and quite seriously injured. I have been contacted by a constituent regarding Centre Road and the fact that there is no pedestrian crossing from north to south on Centre Road in the vicinity of Talbot Park.

Clarinda Primary School is located on Centre Road. Further to the east in the vicinity of Melaleuca Drive there is a pedestrian crossing, but in the vicinity of the school and in the vicinity of the park between the area of Eulinga Road and Elder Street there is no pedestrian crossing. The community have recognised this is unsafe. The accident last week highlights the danger to primary school children on Centre Road in the absence of a pedestrian crossing. So the action I seek from the Minister for Roads and Road Safety is that he work with the Clarinda community to address this evident problem in Centre Road and work with that community to ensure that there is installation of a pedestrian

crossing which allows pedestrians and school students to cross north to south along Centre Road in the vicinity of Talbot Park.

**RESPONSES**

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (18:05): There were 16 adjournment matters this evening to various ministers, and I will seek a written response in accordance with the standing orders from the relevant ministers.

**The PRESIDENT:** The house stands adjourned.

**House adjourned 6.05 pm.**